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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.

### President's Message



SHERIFF DEAN F. GROWDON
LASSEN COUNTY

### Greetings!

At the time of this writing, California is plagued with massive fires and lingering COVID-19 challenges. In my home county of Lassen, we have been all-hands-on-deck with the Dixie Fire and things have been very busy coordinating response, conducting evacuations, and enforcing the law under very trying conditions.

s I reflect on my first quarter as president of the California State Sheriffs' Association, I can't help but think of all of the people I have had the privilege of working alongside. So many seemingly insurmountable obstacles have been presented in the last decade to law enforcement, and notably, to our correctional staff.

In 2011, California jails took on massive new responsibilities to house offenders who would formerly have gone to state prison as well as to provide significant rehabilitative programs to help ensure those who came to jail would not come back. In many cases, these tasks had to be done in jails that were not designed for those things. Then with the COVID-19 pandemic, correctional staff had to shift to a preventative approach, coming up with policies to keep the coronavirus from spreading in jails during an unprecedented pandemic. All of this came while also handling an ever-changing inmate population due to decreased state inmate intake. Which brings us to present time, when we are faced with the current dire situation of fires in California. With the fires growing so quickly, it is likely that correctional staff in different areas will have to adapt once again and accommodate some of the current jail residents in counties that are threatened. We have seen this already in South Lake Tahoe, where jail residents have been moved to Placerville, and the correctional staff there will absorb some more responsibility.

Nevertheless, our professional correctional staff across the state rose to the occasion and have been doing outstanding work to keep communities, inmates, and correctional facilities as safe as possible. These men and women are dedicated public servants with very tough and dangerous jobs.

Over the last decade, the mission of jails has changed dramatically, and we have seen countless successful and unsuccessful attempts at criminal justice reform for better and worse. One constant has been the professionalism and dedication of our correctional staff across California. I wanted to take this opportunity to recognize their efforts, and thank them for their willingness to adapt with our changing environment.

I look forward to serving as your 2021-22 CSSA President and serving as a voice for my fellow Sheriffs across California. I am excited to see what we can accomplish together this year.

Respectfully,

Sheriff Dean F. Growdon, Lassen County CSSA President



M. CARMEN GREEN
EXECUTIVE DIRECTOR

### Welcome to the latest edition of the *California Sheriff* Magazine.

On behalf of the California State Sheriffs' Association, we would like to say "thank you" to the **CSSA Corporate 100 Partners** and our many **Individual Members** for your continued support during these difficult times.

**October is Domestic Violence Awareness Month.** Domestic violence is a major concern for all of law enforcement. To register against an offender be sure to do so on the VINE (Victim Information and Notification Everyday) Program. VINE is a statewide service sponsored by the California State Sheriffs' Association. VINE is free of charge, available 24/7/365 and is completely confidential. See page 12 for more information.

**Red Ribbon Week is October 23 - 31, 2021.** During Red Ribbon week the California State Sheriffs' Association Foundation (CSSAF) will unite with over 100 statewide organizations for this crucial seven-day campaign to help build drug-free communities and to raise awareness of the destructive consequences of drug abuse. See page 15 for more details.

**REMINDER FOR OUR WEBSITE:** Please note, you must have a username and password to log into your profile on the website.

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### Legislative Update



CORY SALZILLO
LEGISLATIVE DIRECTOR

he Legislature concluded the first year of its 2021-22 legislative session on Friday, September 10, meeting its annual deadline to pass bills to the Governor. This legislative year continued to be effectuated by fears of the Covid-19 pandemic and its Delta variant. As such, hearings continued to be held remotely, while a minimal number of staff were allowed in the Capitol during legislative proceedings.

While the legislature is in interim recess, it is the practice of policy committees, in preparation for the 2022 legislative year, to hold informational hearings. These hearings, held throughout the state, can be a constructive opportunity to get stakeholders and field experts involved in discussions on policy issues impacting the State and our communities, such as policing reform, wildfires, and homelessness, to name a few.

In the first nine months of the session, CSSA identified about 420 bills with potential impact on Sheriffs and other front-line peace officers. While there were many bills designed to alter the law enforcement profession, there were a couple of targeted proposals directed specifically to the Office of the Sheriff, which we were successful in stopping. Specifically:

Assembly Bill 759, by Assemblymember McCarty (D – Sacramento), opposed by CSSA, would have moved Sheriff and District Attorney elections to the presidential election cycle. According to the proponents of this bill, "Voter turnout during the mid-term election cycle is significantly less than during the presidential election cycle, resulting in less voter participation in the election of these critically important elected officers." While proponents may point to the notion that more voters on average may vote in presidential elections as a reason to move these elections, there is no guarantee that voters will examine their choices more carefully in a presidential election ballot could result in voter fatigue and fewer votes cast in "down-ticket" races. Instead, the only sure outcome is the administrative burden of upending the current election calendar.

Senate Bill 271, by Senator Scott Wiener (D – San Francisco), also opposed by CSSA, 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 re-emerge in January 2022.

Several other problematic measures, which would have put the public at a significant safety risk, which CSSA was successful in stopping include:

Assembly Bill 937, by Assemblymember Carrillo (D – LA) would further impede law enforcement coordination by prohibiting a state or local agency from arresting or assisting with the arrest, confinement, or detention of an individual for an immigration enforcement purpose in any manner including, but not limited to, by notifying another agency of the release date and time of an individual. The bill would also eliminate the requirement that an offender's place of birth be included in basic information stored in state or local criminal offender record information systems. State and local law enforcement agencies may be asked to provide safety support for arrests undertaken by other agencies. AB 937 would eliminate the ability of law enforcement to do this if the action happened to include an immigration enforcement purpose. Further, eliminating the requirement that an offender's place of birth be included in basic information stored in state or local criminal offender record information systems will make that information less accurate and less useful to the stakeholders that rely upon that information, irrespective of whether the person is subject to any immigration enforcement action.

**Senate Bill 57, by Senator Scott Wiener (D – San Francisco)** would allow the City and County of San Francisco, the City of Oakland, and the County of Los Angeles to operate safe injection sites.

Senate Bill 519, by Senator Scott Wiener (D – San Francisco) would decriminalize the possession, personal use, and sharing of specified controlled substances including psilocybin, MDMA, LSD, ketamine, and mescaline.

Senate Bill 262, by Senator Hertzberg (D – Van Nuys) would require a court, if going to impose cash bail, to examine the arrestee's ability to pay and make a finding that the arrestee has the present ability to pay the amount of monetary bail without substantial hardship. Under SB 262, and notwithstanding existing constitutional bail denial provisions, the individualized consideration of what the offender is alleged to have done and their criminal record does not appear to factor in the decision of what level of bail is set – only the arrestee's present ability to pay without substantial hardship is to be considered after it is determined that nonfinancial conditions are insufficient. SB 262 is now a two-year bill that CSSA will continue to oppose.

Other priority bills opposed by CSSA that are on the Governor's desk awaiting his signature or veto include:

Assembly Bill 481, by Assemblymember Chiu (D – San Francisco) requires law enforcement agencies to seek and obtain governing body approval (in the case of the Sheriff, it's the Board of Supervisors) before requesting or acquiring military equipment through the federal 1033 program or otherwise. As a practical matter, the acquisition of military surplus property often requires bidders to respond quickly without the opportunity to engage a legislative body regarding each purchase, and AB 481 would severely disadvantage California agencies in their attempted participation in the 1033 program. This bill interferes with the ability of independently elected constitutional officers to acquire equipment at a cost savings for deployment for law enforcement purposes. Duly elected sheriffs are certainly capable of responding to the concerns of their constituents when it comes to the purchasing and deployment of appropriate equipment should they arise.

Assembly Bill 990, by Assemblymember Santiago (D – LA) would provide that a person serving a felony sentence in a county jail has a right to receive personal visits and that the inmate may only be deprived of that right if it is necessary and narrowly tailored to further the legitimate security interests of the government. CSSA was opposed to this bill because it will undoubtedly spur litigation and will severely restrict custody staff's ability to alter visitation schedules. Under the bill, visitation couldn't be suspended for behavior issues, logistical issues like HVAC problems and global pandemics.

Senate Bill 2, by Senator Bradford (D - Gardenia) who is the Chair of the Senate Public Safety Committee, is the peace officer decertification bill. CSSA understands the growing desire for consistency in discipline and accountability for acts of misconduct by a police officer. We agree that the state must have a robust decertification process in place and allow management and those in authority to take the final step in decertifying a peace officer who engages in abusive behavior. SB 2 requires all members of the advisory board, created by the bill, to take a 40-hour POST decertification course on the decertification process, internal investigations, evidentiary standards, use of force standards and training, and local disciplinary processes. The language of SB 2 was much improved since the bill was introduced. However, we continued our opposition because of serious flaws maintained in the bill, such as elimination of immunity from civil liability in certain cases.

Senate Bill 98, by Senator McGuire (D – Healdsburg) would allow members of the press to access areas that have been closed, including the area surrounding an emergency command post, at a demonstration, march, protest, or rally. CSSA opposed the bill due to the dangers associated with allowing nearly unfettered access to an area surrounding an emergency command post and that situation is significantly different when dealing with assemblies of people rather than natural or manmade disasters, which is the current model upon which the author has based his language.

While CSSA had to actively oppose several detrimental proposals, we also supported many effective bills such as permitting a court to suspend a person's driver's license for 90 days to six months, if they are convicted of engaging in a motor vehicle exhibition of speed (AB 3 (Fong, R – Bakersfield)); require CDCR to provide the names and social security numbers of current inmates to EDD to prevent payments on fraudulent unemployment claims (AB 110 (Petrie-Norris, D - Laguna Beach)); allow an in-custody defendant to appear by counsel in criminal proceedings in certain situations (AB 700 (Cunningham, R - San Luis Obispo)); allow the Counties of Del Norte, Madera, Mono, and San Mateo to utilize PC 830.1(c) correctional deputies (AB 779 (Bigelow, R - O'Neals)); extend the statute of limitations for "revenge porn" crimes (SB 23 (Rubio, D - Baldwin Park)); and require the CPUC to establish resiliency plans for backup power requirements for certain telecommunications providers (SB 341 (McGuire, D – Healdsburg)). All of these bills are on their way to the Governor for his consideration.

Governor Newsom has until Sunday, October 10 to sign or veto legislation on his desk, which amounts to hundreds of bills at the time of this writing, and CSSA plays a significant role in making recommendations to the Governor.

#### **CSSA SPONSORED BILLS** -

During the 2021 legislative year, the California State Sheriffs' Association had two sponsored bills get signed into law by Governor Newsom. **AB 591**, by Assemblymember Carlos Villapudua (D – Stockton) will allow certain vessel-related offenses to be correctable (fix-it ticket). **AB 1480**, by Assemblymember Freddie Rodriguez (D – Pomona) will allow a criminal justice agency to inquire about, seek, and utilize information about certain nonsworn employee's arrest records. These laws will go into effect on January 1, 2022.

The Legislature will reconvene the 2021-2022 session on Monday, January 3, 2022. We are indebted to sheriffs and their staffs for their assistance in advancing CSSA's legislative priorities. We could not be as successful as the CSSA team is if we did not have the time, expertise, and insight of those we serve.

**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.



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### *Legal Update*



### "The Evolution of Community-Caretaking Exception to Warrantless Searches and Seizures"

JIM TOUCHSTONE
GENERAL COUNSEL

ur Nation's founders enshrined the sanctity of one's home in the Constitution as demonstrated by the Fourth Amendment. Subsequent case law interpreting the Fourth Amendment has consistently supported the fundamental right of privacy in a person's residence to those residing in the United States. "[T]he 'physical entry of the home is the chief evil against which the wording of the Fourth Amendment is directed." (*Payton v. New York* (1980) 445 U.S. 573, 585; see *People v. Schmitz* (2012) 55 Cal.4th 909, 919.) "[I]t is a cardinal principle that 'searches conducted outside the judicial process, without prior approval by judge or magistrate, are *per se* unreasonable under the Fourth Amendment—subject only to a few specifically established and well-delineated exceptions." (*Mincey v. Arizona* (1978) 437 U.S. 385, 390.)

Case law, however, has recognized several exceptions to the warrant requirement for entry into a residence. One such exception is "exigent circumstances." The high court has recognized that exigent circumstances may exist where there is probable cause to believe a crime has been committed but "an emergency leaves police insufficient time to seek a warrant." (*Birchfield v. North Dakota* (2016) 136 S.Ct. 2160, 2173.) The Supreme Court has also found exigency when an entry or search appears reasonably necessary to render emergency aid, whether or not a crime might be involved. As the Supreme Court has recognized, "… law enforcement officers may enter a home without a warrant to render emergency assistance to an injured occupant or to protect an occupant from imminent injury." (*Brigham City v. Stuart* (2006) 547 U.S. 398, 403.)

The Supreme Court recently re-examined the communitycaretaking/emergency aid doctrine in the case of *Caniglia v. Strom* (2021) 141 S. Ct. 1596. In the case of *Caniglia*, the police responded to a welfare check, where they were met with a man on the porch. The man agreed to go with the officers to get a psychiatric evaluation. Once the man left, the officers entered the premises and removed his guns which were inside. The man sued for warrantless entry and seizure of the weapons.

At the very start of its analysis, the Court recognized, consistent with prior cases, that "the Fourth Amendment does not prohibit all unwelcome intrusions 'on private property,' *ibid.*—only 'unreasonable' ones. We have thus recognized a few permissible invasions of the home and its curtilage." *Id.* at 1599. "We have also held that law enforcement officers may enter private property without a warrant when certain exigent circumstances exist, including the need to 'render emergency assistance to an injured occupant or to protect an occupant from imminent injury." *Id.* 

Of critical importance in reading the *Caniglia* case, it must be noted that the Supreme Court was reviewing the First Circuit's underlying holding in the case below that a community-caretaking entry, <u>absent exigency</u>, was permissible to support entry into a home. The Court noted this when it stated, "[a]ccordingly, the First Circuit saw no need to consider whether anyone had consented to respondents' actions; whether these actions were justified by 'exigent circumstances'..." *Id.* at 1599. Instead, the respondents in that case relied upon *Cady v. Dombrowski* (1973) 413 U.S. 433, to justify entry into the home, even though that case concerned the search of a vehicle, not a home, and did not require exigent circumstances. The Court ultimately held that there was no such broad-sweeping exception to the warrant requirement for entry into a home for community-caretaking purposes, absent exigency.

The limited application of *Cady* to the facts in *Caniglia* is heavily considered throughout the concurring opinions in the case. For example, in Chief Justice Robert's opinion, he stated that "a warrant to enter a home is not required, we explained, when there is a 'need to assist persons who are seriously injured or threatened with such injury." "Warrantless entry justified where 'there was an objectively reasonable basis for believing that medical assistance was needed, or persons were in danger.' Nothing in today's opinion is to the contrary." *Id.* at 1600.

Justice Alito further supported this position by stating that "warrants are not typically granted for the purpose of checking on a person's medical condition. Perhaps States should institute procedures for the issuance of such warrants, but in the meantime, courts may be required to grapple with the basic Fourth Amendment question of reasonableness. The three categories of cases discussed above are simply illustrative. Searches and seizures conducted for other non-lawenforcement purposes may arise and may present their own Fourth Amendment issues. Today's decision does not settle those questions." *Id.* at 1602.

Most clearly, it was Justice Kavanaugh who drove home the points made above. Justice Kavanaugh noted, "[p]olice officers may enter a home without a warrant in circumstances where they are reasonably trying to prevent a potential suicide or to help an elderly person who has been out of contact and may have fallen and suffered a serious injury." Id. at 1603. "Over the years, many courts, like the First Circuit in this case, have relied on what they have labeled a 'community caretaking' doctrine to allow warrantless entries into the home for a non-investigatory purpose, such as to prevent a suicide or to conduct a welfare check on an older individual who has been out of contact." Further, "the officers do not need to show that the harm has already occurred or is mere moments away, because knowing that will often be difficult if not impossible in cases involving, for example, a person who is currently suicidal or an elderly person who has been out of contact and may have fallen. If someone is at risk of serious harm and it is reasonable for officers to intervene now, that is enough for the officers to enter." Id. at 1603.

In sum, the doctrine permitting a warrantless entry into a home to provide aid to a person in situations in which you have probable cause to believe an exigency exists that requires immediate action to render such aid or medical assistance or remains alive and well. However, law enforcement officers must be able to establish an exigent situation requiring such aid by articulable facts. As always, it is important to document such facts in an incident report or other medium should you be required to justify your actions at a later time.

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

<sup>1</sup> "A long-recognized exception to the warrant requirement exists when 'exigent circumstances' make necessary the conduct of a warrantless search." (*People v. Panah* (2005) 35 Cal.4th 395, 465.) The term "exigent circumstances" describes "an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property, or to forestall the imminent escape of a suspect or destruction of evidence." (*Ibid.*)



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### Media Update



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

In this whirlwind moment in history, as legislators are changing laws and policies in the name of reform, citizens are still focused on the core demands of law enforcement: keep us safe and keep us informed.

ut how do you effectively communicate to the public in an era when the traditional communicators are not showing up?

Breathtaking budget cuts in local newspapers, radio and TV companies have ripped reporters away from their posts. Because there are fewer journalists in the community, there are fewer people to cover stories.

Now, the positive events that happen every day in law enforcement are going almost completely uncovered by journalists.

Now, breaking news is actually being reported by law enforcement agencies who post a photo or snippet of video from the scene on social media.

The best practice is still to announce a staging area for the media, but now, it's on the law enforcement agency to inform the public on all social media platforms, especially if there continues to be any threat to the community.

It seems law enforcement agencies are now obliged to tell their own stories and communicate directly to the public. Get your smart phones out. Take video of deputies interacting with members of the public, post it on Facebook. Snap a photo of de-escalation training, put it on Instagram.

Post consistently. Post the conclusions of important investigations, even if they do not reflect positively on the department. Disciplinary actions and policy changes can and should be released in this manner.

Social media has its drawbacks, for sure, but it has also proven to help build a stronger bond between government agencies and the communities they serve.

Communication that is swift, direct, and consistent can help the public understand that it is a top priority for government agencies to inform the public while continuing to work to keep them safe.



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For more information, please contact Meeting and Events Planner Mishel Hinojoza at mhinojoza@calsheriffs.com or Executive Director Carmen Green at cgreen@calsheriffs.org



### **The WorkSafe Initiative:** Addressing the Impact of Domestic Violence in the Workplace

BY CASSIE DROCHELMAN, M.ED., PROGRAM MANAGER AT THE MARY BYRON PROJECT

hen most people think about workplace violence, a classic scenario often comes to mind: A disgruntled employee who was fired or is otherwise angry with the company enters the workplace with the aim to take revenge. While this situation is certainly a frightening reality, there is another all-too-common type of workplace violence playing out in organizations across the U.S. It involves the residual effects of domestic violence, or intimate partner violence (IPV), at the victim's place of employment. Alarmingly, nearly 25% of all workplace violence is related to intimate partner violence.

#### The Intersection of Domestic and Workplace Violence

In the United States, more than 1 in 3 women and 1 in 4 men will experience rape, physical violence, and/or stalking by a partner at some point in their lives. The reality is that intimate partner violence does not remain at home when the victim leaves for work. Many victims simply cannot escape its effects. Their abuse follows them, be it psychologically, emotionally, and/or physically—and it permeates their workplace.

#### **Recognizing the Signs**

What does it look like when intimate partner violence comes to work? Abuse may result in late arrivals or missed days stemming from injuries, court dates, and/or lack of sleep. Maybe they've had their uniform destroyed or their transportation tampered with. When present, victims frequently have trouble concentrating or performing their duties. They often experience obsessive, harassing phone calls from their abusive partner, or they may worry that their partner is waiting for them outside, or perhaps will enter their workplace and cause a disturbance (or worse).

Or maybe a victim has been able to leave an abusive relationship and has worked diligently to make sure her violent ex doesn't know where she's living. She might even change grocery stores, banks, gyms. The one factor she can't as easily change is where and when she works and that is a vulnerability her ex can take advantage of. He may show up to confront or harm her—and potentially her co-workers and/or customers in the process.

Unfortunately, these examples are not uncommon. A 2005 study of female employees who had experienced domestic violence found that:

• 98% had difficulty concentrating on work tasks

- 96% reported that domestic abuse affected their ability to perform job duties
- 87% received harassing phone calls at work
- 78% reported being late to work due to abuse
- 60% lost their jobs due to domestic abuse

These statistics are nothing short of staggering.

#### Mary Byron's Story

In late 1993, 20-year-old Mary Byron was raped and assaulted by her former partner who was subsequently incarcerated for these crimes. Two weeks later, unbeknownst to Mary, her assaulter posted bail, stalked, and murdered her as she sat warming up her car after work at a popular Louisville, KY shopping mall.

There was an immediate outcry in her devastated community. In response, the county requested bids to develop a system that would notify crime victims electronically when their offenders were released from custody.

At the time, a local father of two small daughters watched Mary's heartbroken parents on the news and was motivated to act. He committed himself to developing a technological solution to address this dangerous gap in the system. He created a company (today known as Appriss Safety) through which the nation's first automated victim notification system was built. Exactly one year after Mary's death, in a single county in Kentucky, Mr. Mike Davis and his business partner proudly launched VINE — Victim Information and Notification Everyday. Today, VINE spans 48 states and makes over 43 million notifications each year. Mike continues to serve proudly as Appriss' CEO.

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In 2000, Mike and some additional Appriss personnel worked with Mary Byron's parents and other victim advocates to establish the Mary Byron Project (MBP), a public non-profit focused on addressing the root causes of domestic violence. MBP seeks out ideas that extend beyond crisis management and funds new, innovative solutions, as well as focusing on appellate advocacy for victims of domestic violence.

#### **Taking Action**

Many business owners, HR professionals, and security officers know that IPV is a problem in their workplaces. They understand that it translates into workplace safety issues, decreased productivity, missed shifts, increased health insurance costs, business liabilities, and sometimes the loss of the greatest human resource—a life. A 2003 CDC study estimates that the economic cost of IPV totals over \$8 billion each year. Additionally, victims of IPV lost almost 8 million paid days of work because of the violence they experienced at the hands of a current or former partner.

Many security officers have shared that while they hadn't experienced instances of extreme violence, there have been times when an ex or current partner lurks in the parking lot, shows up uninvited, or makes harassing phone calls. They know the threat of violence is there—right around the corner. The problem is that companies are often unsure of the appropriate action to take. In fact, according to research conducted by the Society for Human Resource Management (SHRM), 65% of companies do not have a formal workplace intimate partner violence policy, and only 20% offer training on intimate partner violence. Discussing IPV can be uncomfortable to address while at work, and managers want to respect employee privacy. But, by taking no action, business leaders become more vulnerable to threats that result in safety and legal ramifications.

#### The WorkSafe Initiative

The Mary Byron Project's WorkSafe Initiative helps business leaders become proactive about supporting and protecting employees who are victims of intimate partner violence and those who work in close proximity to them. The program is not a one-size-fits-all approach. It follows a basic structure that is tailored to each individual organization. The program starts by providing assistance in developing or tailoring a company's policies and procedures around the issues of intimate partner violence and stalking. We believe this step is crucial because many employees fear that if they come forward with information about an abusive partner or ex, they risk being punished or even fired. And this is, surprisingly, a valid fear. Additionally worrisome, is that once an employee is terminated for revealing that he or she is afraid of a partner, has a protective order, etc., other victims stay silent about their abusive situations. In turn, the entire workplace is in more danger when necessary safety precautions are not taken. From a legal, moral, and practical standpoint, firing the victim to solve the problem is problematic. Established policies let employees know that they won't be penalized for seeking help and provide guidance to leadership on how safety issues and accommodations should be handled.

Once the policies and procedures are in place, WorkSafe provides training for managers and staff. It's crucial to educate employees

on the new policies. This helps to establish a company culture that encourages employees to come forward for support. It's also important to prepare managers to have these conversations with their employees. Specifically, WorkSafe training:

- Provides an understanding of intimate partner violence and its societal impact
- Illustrates the ways intimate partner violence presents itself in the workplace
- Familiarizes employees with workplace policy and reporting procedures
- Trains staff on the resources available for employees experiencing violence

Manager training provides guidelines for how to respond if they suspect an employee is being harmed at home, and how to have conversations with employees who disclose an abusive situation. Managers are not expected to become counselors or domestic violence advocates—the training teaches managers and staff to identify the signs of IPV and to refer the victim to where they can find help. The WorkSafe program facilitates a connection with the local domestic violence agency so that managers know who to contact when they have a staff member who needs support. This is critically important. Because domestic violence can be so dangerous—even fatal—victim safety planning with victims is crucial. Again, we don't expect managers and supervisors to become experts in safety planning, but they can provide a "warm hand-off" to the domestic violence agency where expertly trained staff are available to help victims determine a plan for their safety.

Far too many business leaders believe that intimate partner violence is not affecting their workplaces. But, obvious or not, it's happening to employees in workplaces everywhere. Businesses simply can't afford to assume immunity. Being proactive is key to create an informed, healthy, safe workplace—their brand, reputation, assets, and the lives of their employees depend on it.

If you would like to learn more about the WorkSafe Initiative and how you can protect your employees and your workplace, visit <u>marybyronproject.org/our-work/worksafe-initiative/</u> or contact Cassie Drochelman at <u>cassied@marybyronproject.org</u>.

**Cassie** is a Program Manager at the Mary Byron Project, a nonprofit organization dedicated to breaking the cycle of intimate partner violence. Cassie has more than a decade of experience as an advocate and educator in the movement to end intimate partner violence. She began supporting victims/survivors as a volunteer during her undergraduate years. Since then, she's coordinated student violence prevention efforts at the University of Missouri, provided training and technical support to community domestic violence agencies at the Texas Council on Family Violence, trained and supervised advocates at the National Domestic Violence Hotline in Austin, and facilitated community outreach as a victim advocate in Denver. She's excited to be back home in Kentucky, helping workplaces respond to intimate partner violence. Cassie has a master's degree in Health Education from the University of Missouri.



### — SHERIFF YOUNGBLOOD — Receives Star on the Fox Theater's Walk of Stars



### On July 17, 2021, Kern County Sheriff Donny Youngblood received recognition towards years of dedication to serving and protecting the Kern County Community by being the newest star addition to the Fox Theater Walk of Stars, His star was embedded in the walk in a place of honor-right next to the legendary Merle Haggard (left photo). The Walk of Stars is embedded in the sidewalks of The Historic Bakersfield Fox Theater, and it's a special opportunity to become a permanent part of the Majestic Fox Theater. Many Sheriffs from across California (and our very own Executive Director, Carmen Green,) came to watch the dedication of Sheriff Youngblood's star and show their support.



### **Dear CSSAF Supporter,**

### Help us "Send A Message. Stay Drug Free." by celebrating **Red Ribbon Week!**

Red Ribbon Week is the oldest and largest drug prevention campaign in the country. During the week of October 23rd through October 31st the California State Sheriffs' Association Foundation (CSSAF), will join over 100 statewide organizations in sponsoring "Red Ribbon Week", a seven-day campaign to raise awareness of the destructive consequences of drug abuse and to help build drug-free communities.

### **History:**

Red Ribbon Week is a national observance in memory of Enrique (Kiki) Camarena, a DEA Agent and former Marine, who in 1985 gave his life fighting the battle against illegal drugs. Soon after his death, "Camarena Clubs" were launched in high schools around California, where hundreds of students pledged to lead drug-free lives, to honor the sacrifices made by Camarena and others on behalf of all Americans. They began to wear red badges and red ribbons, as a symbol of Camarena's memory. The Red Ribbon Week campaign emerged from the efforts of these clubs and coalitions.

### Did you know?

Children of parents who talk to their teens regularly about drugs are 42% less likely to use drugs than those who don't, yet only a quarter of teens report having these conversations. Red Ribbon Week educates individuals, families, and communities on the destructive effects of alcohol and drugs and encourages innovative ways to keep kids and communities drug free. Thank you for your support. It is genuinely appreciated!

Sincerely,

M. Carmen Green *Executive Director* 

The California State Sheriffs' Association Foundation never asks for donations by telephone. Contributionsaretaxdeductible(FederalTaxID#59-3813461)Makechecks payable to the California State Sheriffs' Association Foundation (CSSAF)

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## \* \* ACSO \* \* **SNAAT** FITNESS CHALLENGE



This past year has been one of the most challenging times in our Nation's history and for our great profession of law enforcement. We have witnessed and responded to a series of unforeseen and unprecedented events throughout our community. Not only has law enforcement had to deal with the deadly COVID-19 pandemic, but had to respond to mass civil unrest, looting, riots, historic wildland fires and the smoke caused by those fires. They have had to work in extreme weather conditions, including record setting heat waves, power outages and we have all seen the increase in violent crimes in each of our communities. While doing all of this, there has been a huge amount of scrutiny towards law enforcement. It has never been a more difficult time to be in this profession.



In the face of difficult times, continued training for the law enforcement community is more important than ever. Despite criticism, in the time of need, the law enforcement community will always answer the call. We must be prepared on a moment's notice to respond to an emergency or rapidly unfolding event. Training and fitness are vital to the success of these oftentimes unthinkable events. The necessity to provide a first responder training platform that highlights critical incident problem solving, teamwork, mental fortitude, and physical fitness has never been more prevalent. In the most critical of moments, the expectations bestowed upon our first responders to safely, professionally, and successfully accomplish the tasks assigned to them, can only be achieved through accessible, practical, and real time training.

Believing in this responsibility to teach, train, and prepare our staff, Sheriff Gregory J. Ahern is committed to expanding and improving the training of our first responders, including our tactical teams, emergency medical services, and emergency management personnel. Taking on this obligation, Sheriff Ahern presented the 2020 SWAT Fitness Challenge as an opportunity for local and regional tactical teams, and first responders to test their competencies and capabilities during real world tactical scenarios, firearms proficiency, and overall fitness exercises.

Hosted by the Alameda County Sheriff's Office in Dublin, California, the 2nd Annual SWAT Fitness Challenge was held on September 12 and 13, 2020. This two-day event provided over 24 hours of real-

world training for tactical teams, emergency medical services staff, emergency management personnel, and volunteers from several public and private disciplines. The combined personnel joined together under a unified command to focus on the common goals of improving our interoperability, communication, training, and response to critical incidents. Utilizing the incident command structure, the overall management of the event is a real time working simulation of our emergency management capabilities. The event exposes all those participating to the latest technology and tactics that not all personnel would otherwise have the opportunity to experience. The exercise evaluates personnel's' existing level of preparedness and capabilities,

identifying not only what we do well, but areas that may be in need of improvement.

The SWAT Fitness Challenge focused the tactical training component on current events that shape the way our first responders must manage and overcome challenges they will encounter. The following examples outline the acts of violence that continued throughout 2020, fostering the event's on-going motto of "Why We Train."



JANUARY 19, 2020: One person was killed, and sixteen others were wounded when a suspect armed with two handguns opened fire at the 9ine Ultra Lounge in Kansas City, Missouri. An armed security guard shot and killed the suspect.

**FEBRUARY 26, 2020:** Five people were killed when a suspect armed with two handguns (one with a silencer), began shooting inside the Molson Coors building in Milwaukee, Wisconsin. The shooter committed suicide at the scene.

**MARCH 27, 2020:** Four people were killed when a suspect armed with a handgun, began firing at people inside a gas station in Springfield, Missouri. Law enforcement exchanged gunfire with the shooter, who ultimately took his own life.

MAY 29, 2020: One Federal Protective Services Officer was killed, and another Officer was wounded when a suspect armed with a 'machine-gun' style rifle shot at the Ronald V. Dellums Federal Building and Courthouse in Oakland, California. The suspect was arrested on June 6, 2020 after ambushing deputies from Santa Cruz County Sheriff's Office and killing a Sergeant.

JUNE 10, 2020: One person was killed, and four law enforcement officers were wounded after a suspect armed with three handguns, began shooting at the San Luis Obispo County Police Department Building in Paso Robles, California. The shooter was killed by law enforcement the following day during an exchange of gunfire.

**JUNE 27, 2020:** Two people were killed, and four others were wounded when a suspect armed with a rifle began firing inside a Walmart in Red Bluff, California. Law enforcement responded to the scene and exchanged gunfire with the shooter. The shooter sustained a gunshot wound and subsequently died at the hospital.

**AUGUST 17, 2020:** Three people were killed, and two people were wounded when a suspect armed with a shotgun and rifle went to three different residences in Dayton, Texas and opened fire. Law enforcement responded to the area and took the suspect into custody.

**NOVEMBER 21, 2020:** Two people were killed, and three others were wounded when a suspect armed with two handguns and a shotgun began shooting inside the Sonic restaurant in Bellevue, Nebraska. The shooter was apprehended by law enforcement at the scene.

**DECEMBER 26, 2020:** Three people were killed, and three others were wounded when a suspect armed with two handguns began shooting inside and outside a bowling alley in Rockford, Illinois. The suspect was apprehended by law enforcement.

The 2020 SWAT Fitness Challenge brought together 10 tactical teams from five different counties, ranging from Santa Clara to San Joaquin to San Francisco. Each of the following teams had eight participating members throughout the event: The Alameda County Sheriff's Office, Berkeley Police Department, East County Tactical Team, Milpitas Police Department, Oakland Police Department, San Francisco Sheriff's Department, San Francisco Police Department, San Leandro Police Department, San Mateo County Sheriff's Office and Tracy Police Department.

In addition to the tactical teams, the event was supported by nearly 50 local, state, and federal agencies, as well as public and private partners and sponsors. Each agency and supporting partner contributed a variety of personnel, resources, technology, and expertise in a collaborative effort to teach, train, and improve our first responders.

Understanding that each tactical team faces different challenges within their jurisdictions, whether geographical obstacles, technological limitations, accessible training or facilities, the SWAT Fitness Challenge planning team utilized a variety of locations to test the teams and expose operators to diverse, yet realistic obstacles. The eight tactical scenarios were based on real life events and conducted at several sites, including an educational campus, public works facility, a church, a local airport, residential dwellings, commercial facilities and a simulated military base. The teams were able to test and train with new and emerging technology, including utilizing UAVs indoors for the first time, K-9s, entry tools, and armored vehicles. Teams worked and trained side by side with medical personnel and equipment in a rescue task force setting and were exposed to modern transportation problems in the form of newly designed charter buses. This exposure to technology and interaction across disciplines, allowed for real time testing, feedback, and networking with each of the teams and participating personnel.

Throughout the event, each team was evaluated on a variety of topics, while receiving professional feedback from expert evaluators. The evaluation process, based on national best practices, and the personal interaction with the subject matters experts allowed each team and their members to validate the effectiveness of their training programs, identify training gaps, and use the training garnered during the event to improve the overall outcome of the teams' capabilities.





The tactical teams were not only challenged tactically but were challenged physically. The physical fitness and shooting skills assessments allowed the teams to compete against each other in a variety of demanding physical fitness, endurance, and shooting competitions. Throughout the five physical fitness and shooting events, teamwork, strategy, and perseverance were tested.

Aside from the participating tactical teams, the 2020 SWAT Fitness Challenge utilized over 800 volunteers and staff members to prepare, manage, and execute the training event. Managed through the Office of Emergency Services, the event allows our volunteers and staff to comprehend and participate in the variety of area commands and subsequent branches. The SWAT Fitness Challenge allows for a

static training ground to expose professional and sworn staff, as well as different entities, to the magnitude and scope of what needs to be accomplished to save lives during times of crisis.

The 2020 SWAT Fitness Challenge was held during the onset of the deadly COVID-19 pandemic. No vaccination was yet available at the time of the event, so a complex safety and sanitation plan was devised to ensure the safety of both the participants and volunteers of the event. Negative COVID-19 tests were required for participants and medical screening occurred for all involved before each day of the event. Hand washing stations, defogging sanitation machines, sanitation supplies and Sanitation Officers were deployed to each of the training sites. A color-coded bracelet system was also deployed and strictly adhered to in order to identify those who had been medically screened on each day.

This year's event was also held during a series of wildfires, extreme smoke and very poor air quality. Contingency plans were put in place and had to be utilized, to allow participating teams to safely complete the fitness and endurance portion of this event.

Due to these well thought out and complex safety plans, the participating agencies had confidence the event was being conducted with the health and safety of their staff being of the utmost importance. At the conclusion of the event, there were no reported health related issues.

The Alameda County Sheriff's Office was proud to host the 2020 SWAT Fitness Challenge in partnership with the George Mark Children's House, in an effort to raise awareness and funds for this amazing non-profit organization. The George Mark Children's House is based in San Leandro, California, and provides pediatric palliative care to families and children who have serious, often life limiting medical illnesses. They provide family-centered medical care that emphasizes quality of life in a compassionate and supportive atmosphere. In support of the George Mark Children's House, each participating team was required to raise at least \$1,000.00. Coupled with donations garnered throughout the event, \$38,000.00 was raised on their behalf.

As we approach on the 20th Anniversary of September 11th, Sheriff Ahern uses this training as a reminder of the horrific acts which were committed against our country. On that day, we learned that evil exists and that we must be fully prepared. Over the last two decades we have worked to be better prepared, stronger, more tactical and more efficient. It is a sobering thought, but it is with great certainty there will be more tragedy, more critical events and our communities will rely on the law enforcement community and first responders to be there for them. Training is our first line of defense and we will be prepared. When the call comes in, first responders will reach back to their experiences at the 2020 SWAT Fitness Challenge and that is, "Why we Train."

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## <u>RECENTLY RETIRED Sheriffs</u>



### SHERIFF JOHN McMAHON San Bernardino County

On June 25, 2021, Sheriff John McMahon retired from the San Bernardino County Sheriff's Department after a 36-year career at the Sheriff's Office, serving 7 of those years as Sheriff.

Sheriff McMahon was an active member of CSSA's Board of Directors, as well as served as the chair of both CSSA's Associate/

Business Members and Publications Committee and the CSSA Corporate 100 Program Committee.



### SHERIFF ERIC MAGRINI Shasta County

On June 19, 2021, Sheriff Eric Magrini retired from the Shasta County Sheriff's Office after a 22 year career in law enforcement, serving the last 2 years as Sheriff.

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



### \*\*\* CSSA WELCOMES OUR NEWEST SHERIFFS



### SHERIFF SHANNON DICUS, San Bernardino County

Sheriff Dicus was raised in a law-enforcement family and has lived in San Bernardino County for over 40 years. In high school, he was a Sheriff's Explorer Scout. After graduating, he enlisted in the United States Army and was assigned to the 101st Airborne Division where he served as a Military Police Officer at Fort Campbell, Kentucky, and in Sinai, Egypt.

After his tour of service in the military, Sheriff Dicus worked for the Department of Veterans Affairs Police Department in Loma Linda, California. He was hired by the San Bernardino County Sheriff's Department in 1991 and attended the Frank Bland Training Center, 106th Basic Academy session.

Sheriff Dicus has a bachelor's degree in Criminal Justice from Cal State San Bernardino and a master's degree in Communications from Cal Baptist University.

As Undersheriff, he oversaw the day to day operations of the Department, as well as the Internal Affairs Division, Civil Liabilities Division and Bureau of Administration Division.

One notable project was the "Jail Utilization Study" done in partnership with CalForward to determine the effects of prison realignment and recidivism in San Bernardino County jails.

As an Assistant Sheriff, he was responsible for Support Operations, and supervised three Deputy Chiefs, the Public Affairs Lieutenant and the Legislative Liaison who oversaw the Corrections Bureau, Court Security, Crime Lab, Coroner, Employee Resources, Sheriff's Academy, Public Affairs, and local law enforcement legislative efforts.

As a Captain, Sheriff Dicus supervised Technical Services, Communications, Records, and the Bureau of Administration.

Sheriff Dicus has held a position at every rank in the Department and his past assignments include corrections and patrol in Barstow, Apple Valley, Victorville City, and Victor Valley Stations. He worked Specialized Investigations in Narcotics, SWAT, and Criminal Intelligence.



### SHERIFF MICHAEL L. JOHNSON, Shasta County

Sheriff Michael L. Johnson was born and raised in Gilroy, CA. He originally worked at a lumber mill in Gilroy, and then later building/remodeling custom homes as carpenter. A couple years after working in the trade he decided to return to school. He completed his general college education through night school while employed full time at the lumber mill. Mike was accepted to Humboldt State University in 1991 and moved to Eureka, CA, to pursue his Bachelor of Science degree. In 1994 he took a leave of absence from HSU to attend the California Department of Fish and Game (POST-certified) peace officer academy in Napa, CA. After successfully completing the academy, he returned to HSU and completed his BS degree in Wildlife Management.

Mike went to work for the Eureka Police Department 1996 as a patrol officer. He held several specialty positions throughout his law enforcement career, including Evidence Technician, Problem Oriented Policing Unit, Narcotics, K9 Handler, and SWAT. Mike has been awarded the Region VIII California Narcotics Officer of the Year award. He was a Drug Recognition Expert instructor, teaching course all across the state including at the CHP academy in Sacramento, CA. Mike also holds California POST Certificates for Basic, Intermediate, Advanced, Supervisory and Executive.

In July of 2007 Mike attended the FBI National Academy (FBINA). Shortly after graduating from the FBINA, Mike accepted a position as Chief of Police for the small prison-affiliated City of Ione (Amador County, CA). He worked as Chief of Police in Ione for five years. In 2012 Mike accepted employment as the Chief of Police for the City of Anderson. While employed with the City of Anderson, Mike earned a master's degree in Criminal Justice. He was employed as the Chief of the Anderson Police Department for over 9 years.

On July 27, 2021, Mike was appointed as Shasta County Sheriff.

Mike has been married to his wife Rosemary for 29 years. They have two sons, a 34-year-old hard working resident of San Diego, CA. and a 24-year-old United States Marine Corp veteran currently residing in Shasta County. Mike's favorite hobbies include hunting, fishing, and dog training.





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### 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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- ★ Lifetime subscription to *California Sheriff*



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	Lifetime Member Hat		Green • Black (CIRCLE ONE)		\$20	
H	Lifetime Member Metal License Plate Frame		Car		\$15	
	Thin Blue Line Performance T-shirt		Black M • L • 2XL (CIRCLE ONE)		\$25	
I	Men's Cotton Polo Shirt—Short Sleeve**		White S • M • XL • 2XL (CIRCLE ONE) Black S • M • XL • 3XL (CIRCLE ONE)		\$25	
J	Men's Long Sleeve Shirt		Black S • M • XL• 2XL • 3XL (CIRCLE ONE)		\$60	
К	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	
м	Sweatshirt**		Charcoal Gray 1/4 Zip S • M • 2XL (CIRCLE ONE) **Charcoal Gray Full Zip S (CIRCLE ONE)		\$35	
N	Men's Camp Shirts**		Ivory Silk Blend 2XL • 3XL (CIRCLE ONE) Black Silk Blend M (CIRCLE ONE)		\$45	
0	Business Card Holder**		Pewter with embossed logo		\$15	
P	Women's Cotton Polo Shirt**		Black M • L • 2XL (CIRCLE ONE)		\$25	
Q	Wireless NFC Bluetooth Speaker		Black (2.75" H x 3.25"W x 3.25"L) Stream audio from your Bluetooth enabled devices with this speaker anywhere.		\$40	
R	Black Full Zip Sweatshirt <i>back by popular den</i>	nand!	Black hooded sweatshirt with CSSA logo Black S • M • L • XL• 2XL • 3XL (CIRCLE ONE)		\$40	
s	Black Soft-Shell Jacket		Womens: M • XL • 2XL (CIRCLE ONE) Mens: L • XL • 2XL (CIRCLE ONE)		\$50	
T	Mesh Shorts		Black S • XL • 2XL (CIRCLE ONE)		\$20	
U	Jacket		Steel Gray 2XL • 3XL (CIRCLE ONE)		\$40	
V	Justice K9 NEW		German Shepherd Stuffed Animal		\$14	
w	20 oz. Graphite Tumbler		Dual-wall acrylic layers offer extra insulation and help prevent condensation from your ice cold refreshments.		\$10	
x	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	
Y	Challenge Coin**		120th CSSA Commemorative Challenge Coin		\$5	
Z	Belt Buckle		CSSA Belt Buckle		\$40	
ZZ	Challenge Coin		CSSA Commemorative Challenge Coin		\$10	
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