

CALIFORNIA Sheriff

CALIFORNIA STATE SHERIFFS' ASSOCIATION

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Editorial Creed

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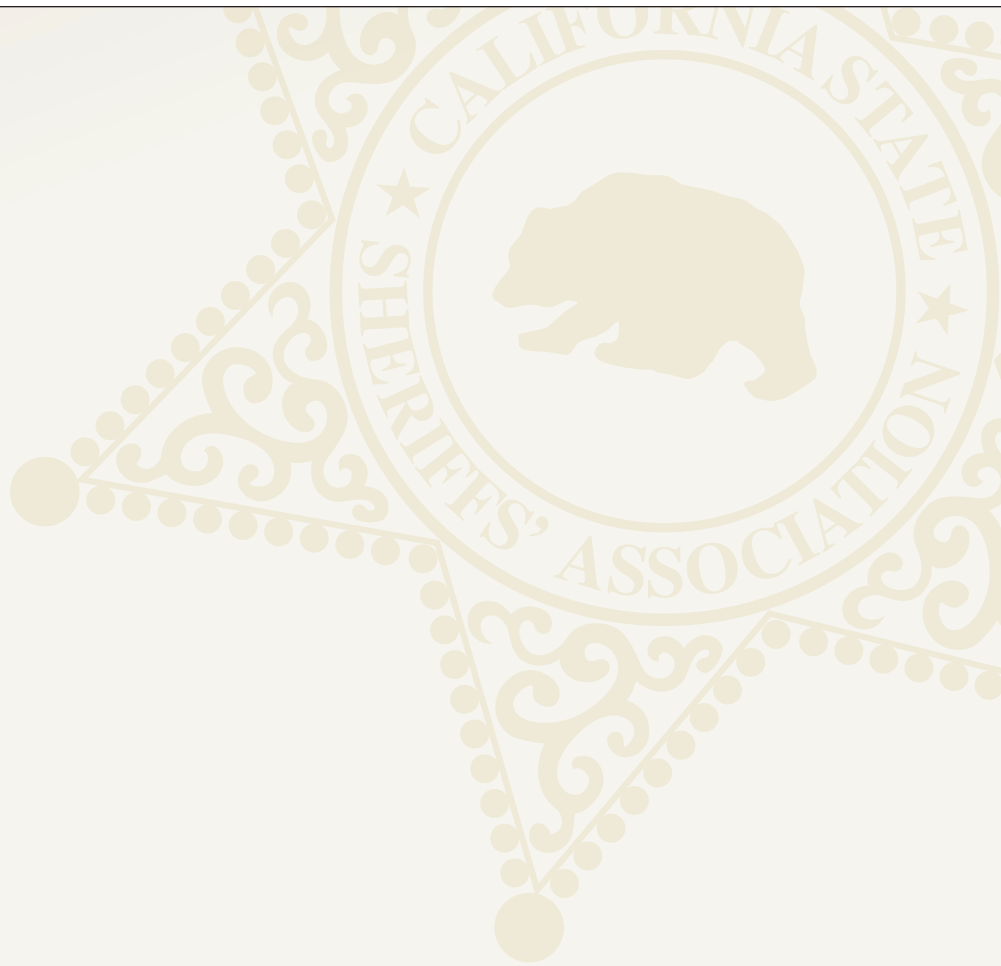
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Association Mission Statement: To support the role of Sheriff as the Chief Law Enforcement Officer in each county and to speak as a collective statewide voice on matters of public safety.

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.



- SHERIFF DEAN F. GROWDON
- LASSEN COUNTY



Dear Friends,

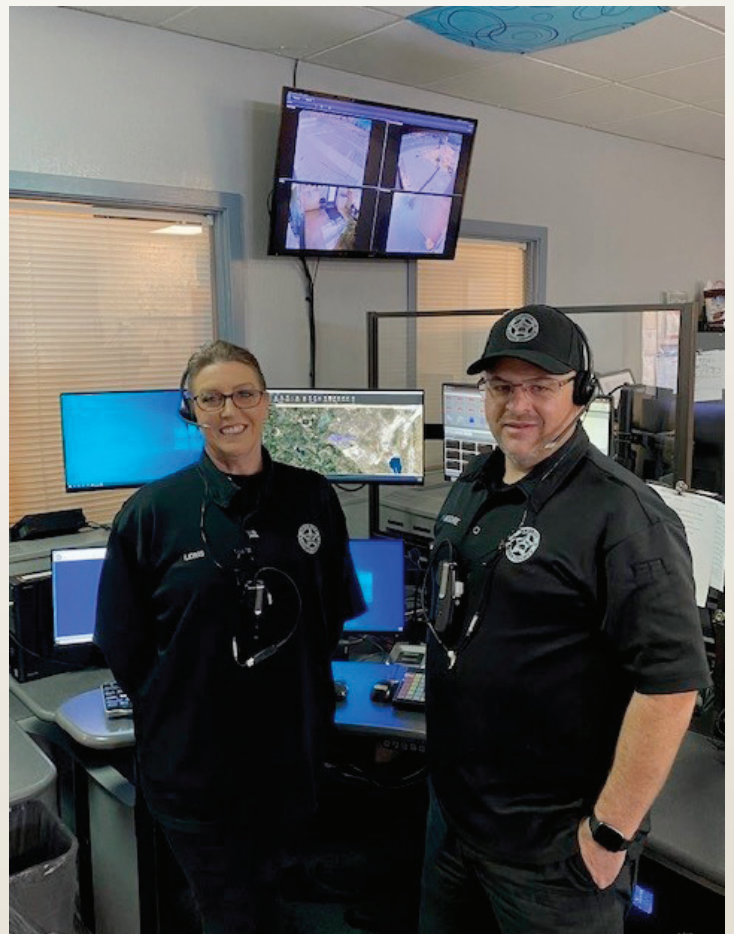
I welcome all of you to this edition of the *California Sheriff*. As I write this letter, I am compelled to write about the many unsung heroes working in Sheriff's Offices around the State of California. Although our uniformed peace officer personnel tend to be the face of our departments, there are many dedicated employees working behind the scenes to support our critical public safety functions. 911 dispatchers, civil officers, records clerks, evidence technicians, financial managers, emergency services coordinators, correctional technicians, nurses, doctors, teachers, therapists, maintenance and motor-pool technicians, court security personnel, coroner personnel, and many more. Our operations would come to a screeching halt without the dedicated work of all of these personnel. I can't express enough how critical all of these wonderful people are to our operations, and want to thank all of them for their service.

One profession that I feel the need to further highlight is that of the 911 dispatcher/ public safety telecommunicator. I follow a number of social media accounts for Sheriff's Offices around the state, and have consistently seen recruiting advertisements for 911 dispatchers. The shortage of 911 dispatchers is being felt in many areas of the state, and can have a very negative impact on our operations.

I don't believe the general public understands the challenges faced by our 911 dispatchers. To start with, dispatchers face challenging work schedules, that are impacted further when agencies are operating with vacancies. Additionally, dispatchers talk to people multiple times a day, who are facing extremely traumatic situations. The wide range of calls and requests that they receive is simply astonishing. From medical aid calls, traffic accidents, crimes against persons, property crimes, and many others, these 911 dispatchers serve as the critical link between the people we serve, and the services they need. Dispatchers also watch over our deputies serving in the field, by dispatching them to calls for service, monitoring their activities, and sending help when needed. These 911 dispatchers serve under an enormous amount of pressure, and despite the hardship, always pull through.

In recent years, the events involving civil unrest, active shooter situations, large-scale wildland fires, and other natural disasters, have had a profound impact on our 911 dispatch centers. These 911 centers often become overwhelmed by calls from large numbers of people in immediate danger. Our dispatchers don't quit and walk away, rather, they find a way to remain calm during these periods of pure chaos and provide guidance to the public. For these reasons and more, I believe we all owe a debt of gratitude to the fine people working in our 911 dispatch centers, as well as all of the personnel keeping our operations in motion.

Thank you and God bless,
Sheriff Dean F. Growdon, Lassen County Sheriff-Coroner
CSSA President ✨





▪ **M. CARMEN GREEN**
▪ **EXECUTIVE DIRECTOR**

The Victim Information Notification Everyday Program

In 2007, CSSA was awarded a Statewide Automated Victim Information and Notification Grant from the Bureau of Justice Assistance to implement the **Victim Information and Notification Everyday (VINE) Program**. CSSA has continued to maintain the VINE Program through various grants. Currently, there are 56 California Counties that participate in the program.

VINE is a free and anonymous online portal (www.vinelink.com) and telephone service (877.411.5588) that provides immediate automated notification to victims of crime, and other concerned citizens. VINE provides up-to-date information on the change in custody status or case status of offenders incarcerated in California's jail facilities 24 hours a day 7 days a week. VINE is also available in 5 languages, English, Spanish, Mandarin, Vietnamese and Cantonese.

In addition to being able to call the toll-free number or visit their website, the enhanced version of VINE will give the victim complete control of their information and is also very user friendly. Enhanced VINE will allow the following:

- Create a Confidential Account, secured by password.
- Search to access offender's information and save information in your confidential profile.
- Register to be notified against your offender from apprehension to release, as well as, any/all transfer, relocations, escape etc.
- Search for a Service Provider such as; Basic Needs, Children's Services, Counseling, Crisis Support, Financial Assistance, Healthcare (Physical), Information About Offender, Legal Assistance, or Victim Assistance. Save service provider information in your confidential profile.

One can also access VINE on their mobile phone by downloading the VINE app. The VINE mobile app allows people to use their smartphone or tablet to easily check the status of their offender and register to be notified about changes in that status via phone or email simply by accessing VINE on their smartphone or tablet. The app is available for both iPhone and Android devices.

Do not rely solely on VINE for your safety. If you feel that you may be at risk, take precautions as if the offender has already been released. ☆

For more information:

www.appriss.com/VINE

1-866-Appriss (277-7477)

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

The second year of the 2021-22 legislative session began on January 3, 2022 and has been marked thus far with a raft of resignation and retirement announcements by legislators. The announcements came one after another, some causing a domino effect of legislators playing musical chairs. As of this writing, there are ten members of the Assembly and Senate who announced they are running for other offices, seven who have announced they will not be seeking re-election, and five vacancies created by immediate resignations. To get some of these vacancies filled, Governor Newsom has announced a series of special elections to be held during spring.

On a more routine note, as required by the Constitution, Governor Newsom released his 2022-23 budget proposal on January 10. The budget proposes approximately \$213.1 billion in General Fund (GF) spending and \$286.5 billion in total spending. The state's projected surplus is \$45.7 billion, including \$20.6 billion for discretionary purposes.

The Governor asserts that the state's budget resilience is stronger than ever: the result of building reserves, eliminating budgetary debt, reducing retirement liabilities, and focusing on one-time spending over ongoing investments to maintain structurally balanced budgets over the long term. These efforts enabled the state to protect programs during the COVID-19 Recession while responding immediately to combat the pandemic. The Budget allocates 86% of the discretionary surplus to one-time investments, and is projected to be structurally balanced in 2025-26, the last year in the multi-year forecast.

The proposed budget is now being deliberated by legislators in various budget subcommittees of both houses, up to the May 14 deadline, when Governor Newsom is required to announce his revisions

to his budget proposal, which considers the latest economic forecast, especially as it relates to tax revenues collected in April.

Parallel to budget hearings, policy committees continue their hearings to go over the legislative proposals of the 120 legislators. During the 2022 legislative year, there were 2,009 bills introduced - 648 Senate bills and 1,361 Assembly bills. As a result, hundreds of public safety related bills are currently moving through the Legislature's committee process. These proposals continue to spotlight mental illness, the fentanyl crisis, and homelessness, to name a few issues. Sheriffs face the manifestations of these challenges in their offices and communities daily and will work on legislation to tackle societal concerns by being proactive and creative in their approach to delivering services.

Of note are a handful of bills that attempt to fix Proposition 47, a measure approved at the ballot box in 2014, that downgraded many nonviolent offenses like property crimes and drug offenses from felonies to misdemeanors. Many California communities are experiencing the fallout from Proposition 47. Neighborhoods have witnessed an uptick in everything from home and retail burglaries to auto theft. Some contend

that because the proposition drastically reduced the penalty for drug offenses, the result is the rampant drug addiction and homelessness that plague many neighborhoods.

In response to their constituents' concerns, some legislators are responding to the unintended consequences of Proposition 47 by authoring proposals to repeal the measure altogether, or to fix some major flaws that have emerged from that initiative. Some of the proposed fixes include reinstating the felony for repeat theft and reducing the threshold amount for petty theft and shoplifting from \$950 to \$400.

Many California communities have also experienced an increase in fentanyl-related deaths and overdoses. Law enforcement agencies up and down the state have seen fentanyl become a growing problem that has devastated entire regions. While legislative efforts to impose harsher punishments on drug dealers who sell fentanyl keep failing in Sacramento, some legislators continue to re-introduce legislation to increase penalties on individuals who are convicted of selling, or possessing with intent to sell, substances containing fentanyl.

Such measures are just a sampling of proposed legislation that would hold offenders accountable and restore safety back into our

communities. We are heartened to see policymakers, stakeholders, neighborhoods, and neighbors collaborate to create innovative programs that assist and protect all members of their community. The State Sheriffs also continue their work with legislators and the administration on bills the Association is sponsoring in 2022. A few of the bills, which we have included below, address deficiencies in current law, while others are expected to ease administrative burdens.

While the last few years have been the most challenging for law enforcement in the legislative arena, the California State Sheriffs' Association will continue its collaboration with other law enforcement partners and public safety advocates to support legislation that will keep our communities safe, while fighting misguided proposals that re-victimize our communities and seek to impair the law enforcement profession and the good women and men who 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.

CSSA 2022 SPONSORED BILLS

MEASURE	TOPIC	SUMMARY
AB 253 Patterson, Republican	<i>Animal welfare.</i>	Updates the Publication notice requirements of the seizure and destruction of roosters used for cockfighting.
AB 1970 Boerner Horvath, Democrat	<i>Solicitation of prostitution from a minor.</i>	Increases the penalty for soliciting a minor under the age of 18 for prostitution.
AB 2192 Ramos, Democrat	<i>Automated license plate recognition systems: information sharing.</i>	Clarifies the ability of law enforcement to share LPR data with out-of-state and federal law enforcement agencies.
AB 2398 Villapudua, Democrat	<i>Catalytic converters.</i>	Criminalizes as a wobbler the possession of catalytic converters without documentation of source.
AB 2545 Muratsuchi, Democrat	<i>Theft: receiving stolen property: firearms.</i>	Restores the wobbler for receiving a stolen firearm valued at less than \$950.
AB 2588 Maienschein, Democrat	<i>Information of Public Officials</i>	Expands the definition of unlawful dissemination of personal information of public officials.



▪ JIM TOUCHSTONE
▪ GENERAL COUNSEL

“The Importance of the *Heck v. Humphrey* Defense in Civil Rights Litigation”

In 1994, the United States Supreme Court decided the case of *Heck v. Humphrey*, 512 U.S. 477 (1994). The case is based on the fundamental concept of upholding the certainty of a conviction. The decision would have profound ramifications in the world of civil rights litigation in terms of assuring equity. The key holding of the case is as follows: In order to recover damages for alleged actions whose unlawfulness would render a conviction or sentence invalid, “a §1983 plaintiff must first prove that the conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such a determination, or called into question by a federal court’s issuance of a writ of habeas corpus, 28 U.S.C. § 2254.”ⁱ In other words, the same events that lead to a criminal conviction cannot then be used as the basis for imposing liability.

The holding in *Heck* particularly comes into play when the conviction or plea is to a crime against a peace officer, or a CAPO crime. In sum, as a practical matter, the *Heck* defense is the second most important defense to civil rights liability claims, trailing only qualified immunity.

The Court further explained that a claim for damages bearing a relationship to a conviction or sentence that has not been so invalidated **is not cognizable under Section 1983.**ⁱⁱ The Court stated its decision barred a Section 1983 suit for unreasonable seizure brought by a plaintiff who was convicted of resisting arrest.ⁱⁱⁱ The Court noted that a plaintiff bringing a suit of this nature would have to negate an element of the underlying offense for which he had been convicted.^{iv} Under *Heck*, “a defendant can’t be convicted under [California Penal Code] §148(a)(1) if an officer used **excessive force** at the time of the acts resulting in the conviction.”^v

Under California law, the determination of whether a peace officer is engaged in the performance of his or her duties is based on whether the officer was using appropriate force during the course of effecting the

arrest.^{vi} A conviction under this statute requires that the defendant’s obstructive acts occur while the officer is engaging in “the lawful exercise of his duties.”^{vii} Accordingly, if an arrest is made through excessive force, the criminal defendant cannot be found guilty of resisting arrest under Section 148(a)(1).^{viii}

As such, it is critical when an officer encounters a situation that gives rise to an arrest that he or she properly document the incident. This is, of course, true for any law enforcement encounter, but is particularly critical in CAPO arrests as these incidents tend to be more likely to give rise to civil litigation for excessive force.

The *Heck* defense recently was examined by the Ninth Circuit in the case entitled *Sanders v. City of Pittsburgh*, 14 F.4th 968 (9th Cir. 2021). In *Sanders*, the plaintiff was observed in a stolen car and then fled from the police resulting in a car chase.^{ix} Once the car was blocked in by the police, the plaintiff fled on foot and was subsequently tackled by several police officers. As he continued to struggle to try to get free, one of the officers directed a K-9 to bite his right calf.

Thereafter, the officers were able to successfully handcuff and arrest the plaintiff. The plaintiff was charged with, among other things, resisting arrest under Penal Code section 148(a)(1). While his criminal case was pending, he filed a civil rights action against the officers for allegedly violating his Fourth Amendment rights under 42 U.S.C. §1983 for excessive force due to the use of the K-9. The plaintiff ultimately pled no contest to the charge of Section 148(a)(1). At the plea hearing, the plaintiff stipulated that the factual basis for his plea “[was] based on the preliminary hearing transcript.”

In examining the *Heck* defense, asserted by way of a motion for summary judgment by the defendants, the Ninth Circuit re-affirmed the concept that, because the use of excessive force by an officer is not within the performance of the officer’s duty, the “lawfulness of the officer’s conduct” is necessarily established as a result of a conviction under Section 148(a)(1).^x The plaintiff tried to avoid the *Heck* bar by claiming that his conviction was based solely upon fleeing from the officers, and therefore, the use of the police service dog to take him into custody, and his claim for excessive force based thereon, was not barred.

In rejecting this argument, the Ninth Circuit noted that the plaintiff had engaged in multiple obstructive acts in **one continuous transaction** and the factual basis for his stipulated conviction encompassed the K-9 force while the other officers were struggling to apprehend plaintiff’s arms. The Ninth Circuit held that “[the plaintiff] cannot stipulate to the lawfulness of the dog bite as part of his § 148(a)(1) guilty plea and then use the ‘very same act’ to allege an excessive force claim under § 1983.”^{xi} “Success on such a claim would ‘necessarily imply’ that his conviction was invalid.”^{xii} Accordingly, the Court affirmed dismissal of the plaintiff’s case based on *Heck*.

This case illustrates a frequent and dangerous set of circumstances deputies often face. A suspect might violently fight to avoid arrest, successfully break contact with a deputy, then have other uses of force occur before the suspect is taken into custody. The suspect potentially could continue fighting up until the point of restraint and transport from the scene. It would be unfair in a situation like this for a suspect to somehow be able to suggest at some point during the series of events they had acquiesced and consented to arrest then endured unjustified force. Use of a preliminary hearing transcript or an incident report as the basis for a plea brings the *Heck* doctrine into the totality of this series of events.

Common CAPO charges include: Penal Code sections 69 obstructing/resisting executive officer by force/violence; 148(a)(1) resisting, delaying, obstructing peace officer; 148(b) taking a weapon while resisting; 148(c), taking a firearm while resisting; 148(d)(1), attempting to take a firearm from officer; 243(b), battery on a peace officer; 243(c)(2), battery with injury on peace officer; 245(d)(1), assault on peace officer with firearm; 664(e)/187, attempted murder on peace officer/firefighter. As noted above, it is critically important for law enforcement officers to properly document such incidents and engage in robust evidence gathering.

Some things to consider in documenting such incidents include: booking all body-worn camera footage by department members who

were present during the incident; if BWC fails or shuts off during struggle, acknowledge it and explain why in the incident report; if the BWC is turned off for any reason, explain why this occurred in the incident report; and critically, **ensure that deputies review their BWC video before writing their reports** as a means of assuring accurate and comprehensive report preparation. Deputies must also demonstrate through proper documentation of the incident that they were “lawfully performing their duties as a peace officer” at the time of the incident. This entails documenting the original basis for their encounter with the suspect, such as by noting a call for service or demonstrating a proper reason for contacting the person.

By providing thorough documentation and evidence concerning an incident to your local district attorney’s office, you will create a stable foundation for their review of the incident and consideration of filing your CAPO charges. This will also assist the district attorney’s office in appropriate prosecution of the case. As part of the disposition of the criminal case, it is also critical we communicate the importance of an accurate plea agreement reflecting everything a deputy faced and had to overcome. In this regard, the alignment of the investigation, documentation, and the certainty of the conviction may, potentially, later support the application of the *Heck* defense to any claims for excessive force that might arise from the underlying incident.^{xiii} ✨

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

ⁱ *Id.*, 512 U.S. at 486-87.

ⁱⁱ *Id.*, 512 U.S. at 487 [emphasis added].

ⁱⁱⁱ *Id.*, 512 U.S. at 487, fn. 6.

^{iv} *Id.*

^v *Sanders v. City of Pittsburgh*, 14 F.4th 968 (9th Cir. 2021).

^{vi} *See People v. White*, 101 Cal.App.3d 161, 167 (1980).

^{vii} *Id.* at 695.

^{viii} *Smith v. City of Hemet*, 394 F.3d 689, 695-696.

^{ix} *Id.* at 970.

^x *Id.*, citing to *Hooper v. Cnty. of San Diego*, 629 F.3d 1127, 1130 (9th Cir. 2011).

^{xi} *Id.* at 972.

^{xii} *Id.*

^{xiii} This author would also like to extend a hearty thanks to the Riverside County Sheriff’s Office for its invaluable contributions to this article.



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

TRANSPARENCY AND NEW CALIFORNIA LAWS

In this new year, Sheriffs across California will be working within the constructs of new laws that provide that peace officers who commit serious misconduct could be decertified as peace officers and that more information about peace officers who have been found to have engaged in specified types of misconduct would be subject to public disclosure.

CSSA and other law enforcement associations have been working hard to make sure the laws appropriately address the exceedingly small number of officers who do engage in misconduct while protecting the rights of those who have not violated law or agency policy.

Senate Bill 2 allows a peace officer to have his or her certification suspended or revoked based on the commission of serious misconduct. Law enforcement agencies will still conduct their administrative investigations and decide how to discipline employees, but the new law allows the Commission on Peace Officer Standards and Training (POST) to determine whether a peace officer should be prevented from continuing in the profession.

While Sheriffs remain concerned about many specific provisions of SB 2 and the overall manner in which it attempts to address the lack of a formal peace officer certification process, Sheriffs are conceptually supportive of a system, built on clear principles and due process, that allows bad cops to be removed from the profession. A fair system that protects agencies' ability to recruit and retain good officers while helping them to keep those who should not wear the badge out should be our goal.

Another new law, SB 16, will make records related to sustained findings of excessive force, racist or biased behavior, and unlawful searches or arrests subject to release to the public.

As a matter of fairness and propriety, efforts were made to ensure that privileged information about unfounded complaints were protected from release while allowing the targeted disclosure of documents that relate to sustained allegations. It is also important to note that allowing law enforcement leaders to disclose certain documents at the appropriate time can help law enforcement foster more transparency as a means for building trust with their communities. Historically, if a deputy sheriff or police officer were found to have committed misconduct, there were more constraints on law enforcement agencies' ability to share with the public how the agency was dealing with the wrongdoing.

That restriction may have led communities to wonder whether the officer faced consequences for their actions, whether the consequences were strong enough to keep it from happening again, and how the employing agency attempted to address the misconduct.

People want to see that sheriffs and police absolutely do not condone misconduct. And nobody wants to hire or protect a bad apple. We must find within these new laws the ability to promote well-staffed law enforcement agencies, protection of officer rights, fairness, and transparency. ✨



UNDERSTANDING INTIMATE PARTNER VIOLENCE **THE 'SHADOW PANDEMIC'** AMONG VICTIMS ALL OVER THE WORLD

BY CASSIE DROCHELMAN, M.ED.

More than two years into COVID-19, we are all aware of the reality of pandemics. After months of lockdowns, quarantines, and around-the-clock media coverage, the coronavirus pandemic has rarely been far from our collective minds. As the pandemic drags on, so does what the United Nations calls “a shadow pandemic” of intimate partner violence (IPV) within the pandemic of the virus itself.ⁱ Despite not getting nearly as much attention, the COVID-19 pandemic has intensified existing injustice and danger for people who experience IPV – defined as a pattern of behavior in any relationship used by an intimate partner to gain or maintain power or control over the other.

Nationally, a quarter of women and one out of ten men will experience some form of intimate partner violence during their lifetimes, according to the CDC.ⁱⁱ That means the chances are high that you know someone who is a victim of domestic violence or is a perpetrator of domestic violence. Tragically, intimate partner violence often turns deadly. The most dangerous time for a woman is when she leaves an abusive relationship. These dangers have only increased as restrictions have given victims fewer chances to leave the house.

Anecdotally, we know that the additional stressors on families — such as restricted movement, forced isolation, and economic insecurity — have increased the likelihood of violence in already volatile homes. Data and reports from around the world have shown domestic violence spiking since the outbreak of COVID-19 in January 2020. According to the United Nations group U.N. Women, calls to helplines have increased five-fold in some countries.ⁱⁱⁱ

AN UPTICK IN DOMESTIC VIOLENCE ENDANGERS VICTIMS MORE THAN EVER

The situation is troubling here in the United States as well, where data from police departments show worrying trends such as an 18% increase in calls pertaining to family violence in San Antonio, a 22% increase in arrests related to domestic violence in Portland, Oregon, and a 27% increase in domestic violence calls in Jefferson County, Alabama.^{iv} As the COVID-19 pandemic continues to affect communities of color more severely, so does the spike in intimate partner violence, due largely to systemic issues that contribute to lower income and less access to





services.^v According to the Center for Survivor Advocacy and Justice, the rates of abuse have increased dramatically by about 50% and higher for those marginalized by race, ethnicity, sexual orientation, gender identity, citizenship status and cognitive physical ability.

We know that these reports and surveys can't fully capture the scope of the problem because many people are unable to reach out for help and are suffering in silence. Under typical circumstances, a victim may have a window of time during the day (when their partner is at work or regularly out the house) to call a hotline and learn about what resources are available to help them, or call the local shelter to see if any space is available.

But that may not be possible now if their partner is working from home or has lost their job. Even if they do find a moment alone to call a shelter, it may be difficult to find a bed in one, as many programs have been forced to reduce their capacity to limit exposure to the virus. The fear of being infected may also mean that victims who were prepared to enter a shelter are hesitant to do so. The economic uncertainty of these times means victims who might have been ready to leave their abusive partners have to rethink their plans. These are just a few of the reasons why we may not know the true scope of the shadow pandemic until years after the COVID-19 pandemic.

WHAT YOU CAN DO TO MAKE A DIFFERENCE

This leads us to wonder if there is anything we can do to help curb IPV in the midst of this crisis when so many of our resources and attention are devoted to other important causes. The answer is yes.

You can learn more about the issue by visiting websites like thehotline.org or attending educational webinars like the previously aired "Understanding Intimate Partner Violence" webinar presented by the Mary Byron Project and Appriss Insights, an Equifax company, which powers the VINE service. VINE is built upon proprietary technology acquiring incarceration data in near real time since 1994. The VINE service automates notifications and provides access to current offender information and service providers for victims and survivors to gain back personal control and safety in their lives.

The Mary Byron Project periodically offers free educational webinars, and you can sign up to receive notifications about future

training opportunities at marybyronproject.org/training/. Becoming educated on this issue will allow you to better support those who are experiencing abuse at home. If you're in a position to help financially, donate to domestic violence organizations, many of which are finding themselves with more demand for services and reduced financial support.

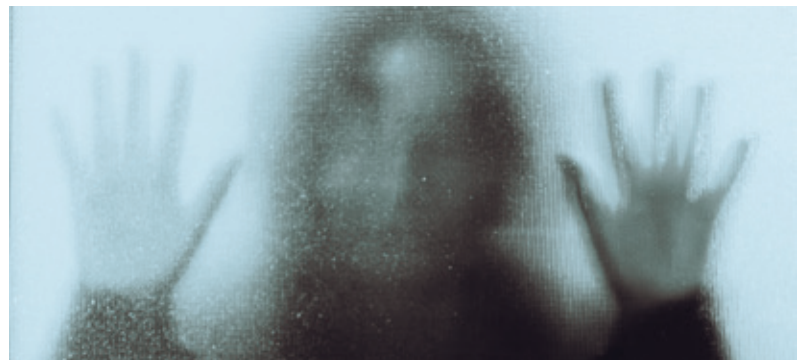
More personally, do you know someone for whom you suspect that violence might be erupting or escalating in these unusual times? Can you make a phone call? Can you be a voice of support, a voice of calm? Can you work out a system for an amount of time with no contact from your friend before you call the police and ask them to check on that person's safety?

If you can do any of these things then, yes, you can help. ✨

Cassie Drochelmann is the Interim Executive Director at the Mary Byron Project, a Louisville, Kentucky, nonprofit organization dedicated to enhancing justice for survivors of intimate partner violence. She has more than 15 years of experience as an advocate and educator in the movement to end intimate partner violence. You can learn more about VINE by reading the VINE blog at blog.apprissinsights.com/vine, and learn more about the Mary Byron Project on marybyronproject.org.

SOURCES

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- ^v "Researchers Fear People of Color May Be Disproportionately Affected by Long COVID," StatNews, May 20, 2021, <https://www.statnews.com/2021/05/10/with-long-covid-history-may-be-repeating-itself-among-people-of-color/>



CALIFORNIA STATE SHERIFFS' ASSOCIATION FOUNDATION

**Law Enforcement Appreciation Week
May 1-7, 2022**

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The California State Sheriffs' Association Foundation (CSSAF) urges you to stand with us as we remember the fallen heroes of law enforcement during Law Enforcement Appreciation Week May 1-7, 2022.

Not only is this a wonderful way to salute our fallen heroes, but it is also a time to celebrate all of the men and women who continue to protect and make a difference in our communities. We urge you to stand with us in supporting those who have sacrificed it all in the name of public safety. We hold them in the highest regard and commemorate the work they do. We can never repay these courageous men and women, but we can recognize their bravery.



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CALVCB OFFERS FINANCIAL SAFETY NET, SUPPORT SERVICES FOR CRIME VICTIMS

BY CALVCB STAFF

THE TOLL OF VIOLENCE IS HEAVY ON SURVIVORS AND THEIR FAMILIES.

From the physical and mental injuries suffered by a victim, to the damage inflicted on those who lost a loved one and provider, violent crime can have devastating repercussions long after an assailant has gone to prison. Assisting those survivors and helping victims get back on their feet is one of the core tenets of the California Victim Compensation Board (CalVCB).

CalVCB provides restorative financial assistance for victims, including compensation for income loss and funding for counseling services. For families left struggling after a fatal crime, CalVCB can help with funeral and burial costs.

“We are focused on helping victims recover from the pain and injuries caused by violent crime,” said CalVCB Executive Officer Lynda Gledhill. “At CalVCB, we are driven by this important and meaningful mission that each year helps tens of thousands of Californians overcome traumatic personal experiences and move on with their lives.”

CalVCB provides up to \$70,000 in reimbursement of expenses as a payor of last resort to cover costs created by the crime. These include

medical and dental care, mental health services, income loss, funeral expenses, relocation costs and residential security.

Payor of last resort means CalVCB can only pay expenses after other available sources of payment have been applied to a bill. Those sources include, but are not limited to, health insurance, workers compensation insurance, automobile insurance, Medi-Cal, and Medicare.

CRIMES COVERED INCLUDE:

- assault
- homicide
- sexual assault
- domestic violence
- child abuse
- elder abuse
- human trafficking
- vehicular manslaughter
- stalking

HISTORY

CalVCB, the first program of its kind in the nation, was created in 1965 and has served as a model for victim service providers ever since. In Fiscal Year 2020-21, CalVCB received 40,640 applications and paid \$52.7 million in compensation.

CalVCB is primarily funded not by taxpayers, but rather through the state's Restitution Fund. Under California law, offenders convicted of a felony or misdemeanor in California pay restitution through fines, orders and penalty assessments. The agency also receives a portion of its budget through the federal Victims of Crime Act (VOCA), which is funded by offenders convicted of federal crimes. In Fiscal Year 2019-2020, CalVCB received \$15.8 million from VOCA.

EXPANDING MISSION

Over the years, social awareness about the impact of violent crime and injustice has grown. As a result, CalVCB's services have expanded.

Beginning in 2020, for example, survivors of human trafficking could apply to CalVCB for up to \$10,000 a year in compensation for income loss for two years. CalVCB has paid \$2.1 million to more than 350 human trafficking victims since.




In addition, in 2021 Governor Gavin Newsom signed Assembly Bill 137 into law, creating the California Forced or Involuntary Sterilization Compensation Program. Many people who lived in state-run hospitals, homes and institutions through 1979 were sterilized, leaving them unable to have biological children. Many who were in custody of a state prison or other correctional facility after 1979 were also sterilized without their consent. Under this new law, CalVCB will issue \$4.5 million in compensation to survivors.

CalVCB also compensates people who have been erroneously convicted of a felony and incarcerated in a California state prison. Approved claims are paid out at a rate of \$140 per day of incarceration.

CONCLUSION

Every day, CalVCB staff works to assist victims of crime by following the organization's core values of integrity, respect, compassion, dedication, collaboration and innovation. CalVCB stands ready and willing to help victims overcome the hardships thrown their way.

For more information, visit victims.ca.gov. 



April 24–30, 2022

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Every year in April, California joins the nation in honoring our victim and survivor community during National Crime Victims Rights' Week (NCVRW). This year, NCVRW is scheduled during the week of April 24 – 30, 2022 with the theme *“Rights, Access, Equity, for all victims”*. In honor of the victim community and the families tragically impacted by crime, the Department of Corrections & Rehabilitation, Office of Victim & Survivor Rights & Services (OVSRS), will host a webinar which will focus on Victim Rights after the post-conviction process.

Over the last several decades, the Department of Corrections and Rehabilitation (CDCR) has taken steps to proactively change the perceived reputation as strictly a housing agency to a transparent resource center to assist all venues of the population – from other law enforcement agencies including Deputy Sheriffs, Police and Probation, to community members - victims, offenders and the families of both. Also, through strong advocacy efforts, working in concert with all public safety entities and community and legislative partners, substantial progress has been made in the creation of constitutional and statutory rights for victims. These reforms have also led to the expansion of integral services and programs for victims of crime. Information about these services is now made more readily available for victims.

RIGHTS - In light of the COVID-19 virus, CDCR has made many changes to ensure victims are still afforded their constitutional rights during a time of uncertainty. While now most board hearings will be virtual, OVSRS worked quickly with the Board of Parole Hearings

(BPH) to ensure victims would be able to continue their participation in this new virtual world. Victims are easily able to coordinate their appearance through their smart phone or computer. The BPH shift to conduct hearings in a virtual setting meant that victims and their family members could participate by video or phone connection. BPH and the CDCR ensured that victim's voices continued to be heard at hearings. From the feedback OVSRS has received, we report that “virtual” attendance is convenient for victims and their families to participate in the comfort of their own home. Additionally, victims who previously were unable to travel to parole board hearings due to the stress, strain and costs are now having their voices heard when it may have not been possible for them before. From 2019 to 2021, victim participation in hearings has dramatically risen to an all-time high. In 2019, 2545 victims participated in hearings and in 2021 - 3300 participated.

ACCESS - CDCR continues to enhance and update the main webpage to include a vast number of services including resource pages for victims and the public. Victims and certain family members of offenders can



register for services easily with a click of a button. Requesting notification services through the Request for Victim Services e1707 form, individuals are able to access anytime – anywhere. Those services allow for victims, next-of-kin, witnesses, family members of offenders (certain crimes apply) to request special conditions of parole, notification of death or escape, general release notification, notification of hearings and collection of restitution. The e1707 also allows for easy updates of contact information changes, such as address, email or phone numbers. To access this link please visit: https://www.cdcr.ca.gov/victim_services/application.html

CDCR has also recently launched electronic notice via email if an offender transfers to another facility. All registered victims with an email address will be able to benefit from this service. While CDCR is not mandated to update victims of a transfer location, the Department realizes this is a crucial step of empowering and including victims on the offender's status. You are also able to confirm the location of an offender on the CDCR website – <https://inmatelocator.cdcr.ca.gov/>

EQUITY - CDCR finalized the Accountability Letter Program (ALP) which will allow for an offender who is working with a facilitator to go through the therapeutic and restorative steps of putting their accountability/apology into written form. The offender will work with a trained facilitator at the prison to look deep within themselves to find the words and courage to take ownership of the destruction they have caused and to translate that into a letter. Once the facilitator approves the document, OVSRS will process the letter and scan it into the offender's central file. Upon the victims' request, the victim can make the choice at any time during the post incarceration process to review the letter. OVSRS will facilitate the coordination of the letter to the registered victim.

We understand and respect the unique and complex issues faced by victims of violent crimes and will continue to strive to improve services and ideas to address the needs of victims, survivors and families throughout California. While we know victims may desire all or just some of our robust and expanded services, CDCR strives daily to ensure that victims throughout the State of California are treated equal and with dignity and respect. The

services are available for them to choose during their long paths to find justice and healing.

If you are a victim of an offender who is under the jurisdiction of CDCR, whether incarcerated or paroled, please contact the OVSRS at (877) 256-6877 or victimservices@cdcr.ca.gov for assistance with any of the above services. ✨

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EQUAL HOUSING
OPPORTUNITY

KINGS COUNTY SHERIFF'S OFFICE *PHEASANT RAISING PROGRAM*

BY SHERIFF DAVID ROBINSON, KINGS COUNTY SHERIFF'S OFFICE



In county jails in California and across the country, inmate programs are utilized to teach a skill set and provide an opportunity for inmates to earn credits, a paycheck and skills that benefit them and their communities upon release. Kings County is no different. We have a food services program, animal services program, firewood splitting and sales program, a car detail program just to name a few.



In 2019, I came up with an idea to help the local habitat on something that has been gone from this area for quite sometime. A pheasant raising and release program. I grew up in the valley and as a kid driving around the countryside saw wild pheasants dotting the landscape. Today it's rare to see a wild pheasant when traveling around the area. One day, Al Korth with Dewberry Inc, and I were discussing the idea. Al fell in love with it. Within a few months Al had found an engineer friend, Patrick Crosby with the Crosby Group, who was willing to draw up the pheasant enclosure. Over the next few months the drawings were complete and the county building and public works departments went to work making it a reality. The structure took some time to build and get all the supplies needed before the first birds arrived in mid 2021. In the late fall of 2020 I was sharing the idea with Richard Martella, who owns a local auction house. Richard told me he had a friend who would be interested in partnering with us, he said his friend had some land that would be ideal for the pheasants. Richard connected me to John Vidovich.

In June of 2021 the Kings County Sheriffs Office Jail Programs Unit began the Pheasant Rearing program to repopulate and raise pheasants in Kings County. Programs Deputies were responsible with preparing



the enclosure with plants, feeders and water dispensers. The program started with 100 day old birds which were donated by Mr. Greg Beck in Hughson, CA. The birds were cared for and raised by inmate workers who are incarcerated at the Kings County Jail. This program allowed the inmate's time to learn a new skill and responsibility while in custody. As chicks, the birds needed constant care while they were being raised in brooders. As the pheasants began to grow, the inmate workers tended to them daily feeding, providing water, applying blinders, and cleaning the enclosure. The birds were fed with feed supplied by Greg Sanchez of Sanchez Feed in Hanford. The birds were raised for 20 weeks at the jail before being sold and released. The first and largest group of Birds were sold to John Vidovich. John has some land that he is returning to its natural habitat that is ideal for the birds. It is surrounded by vast areas, with plenty of cover and water for the birds to thrive. Jim Wilson, John's ranch manager worked closely with us to make sure the birds would have the best possible opportunity to repopulate on John's Ranch. Mr. Vidovich didn't hesitate when asked if he wanted to partner with the Sheriff's Office on this program and he has committed to an ongoing relationship on this program and other work programs for inmates in the near future.

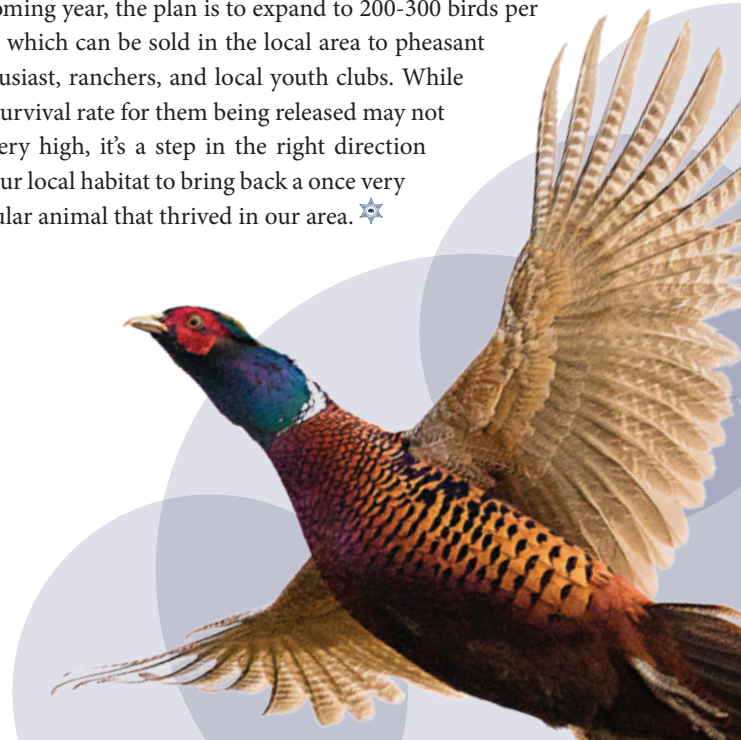
On the day of the release of the birds two Kings County jail inmates were there to help. One of the inmates was due for release from jail in the coming days. Jim Wilson offered the inmate a job on the spot, and told him to contact him upon his release.

John Vidovich and I released the first birds. It was a beautiful sight to see. The birds flew off into the thick brush nearby. Some of the birds didn't hesitate, while other walked around for a brief moment before taking flight.

The pheasant raising program will hopefully help bring some awareness to our inmate programs and the great things we are doing to give incarcerated persons the best opportunity to succeed when released. The inmates who helped out did an outstanding job and learned some



great skills and responsibility that they can take with them when they return to our community. Of the 100 birds that were donated, only a handful didn't survive to be released. 80 of the birds were purchased by Mr. Vidovich. The rest of the birds were sold in smaller quantities. In the upcoming year, the plan is to expand to 200-300 birds per year, which can be sold in the local area to pheasant enthusiast, ranchers, and local youth clubs. While the survival rate for them being released may not be very high, it's a step in the right direction for our local habitat to bring back a once very popular animal that thrived in our area. ✨





How the Calaveras County Sheriff's Office in San Andreas, California **FOUND A SUCCESSFUL TOOL** for Law Enforcement Behavioral/Mental Health Crisis Calls.

A Successful Model for Law Enforcement and the Behavioral Health "Triage" Method.

- JIM MACEDO, UNDERSHERIFF, CALAVERAS COUNTY SHERIFF'S OFFICE
- WENDY ALT, DIRECTOR, CALAVERAS COUNTY BEHAVIORAL HEALTH DEPARTMENT
- CODI MACKIEWICZ, TRIAGE CASE MANAGER, CALAVERAS COUNTY BEHAVIORAL HEALTH DEPARTMENT

Is your law enforcement agency struggling with repeated Behavioral/Mental Health calls for service involving the same person or location? Are your officers and deputies spending long periods of time at hospitals emergency rooms or behavioral health centers rendering your staff unavailable to respond to new calls for service? Is your agency struggling with staffing, funding and resources to address these types of calls? Perhaps you should look at the Calaveras County Sheriff/Behavioral Health Triage Model?

The Calaveras County Sheriff's office and Calaveras County Behavioral Health Department were both faced with these same concerns and issues. Both agencies joined forces and wrote a grant submission to the State of California's Mental Health Services Act Oversight Committee requesting Mental Health Services Act (MHSA) funding to provide mobile crisis support for immediate crisis stabilization help to individuals in a mental health crisis and their families. Calaveras County was awarded seed funding to begin a program. This program involved the hiring of Behavioral Health Crisis Professionals who are housed at the Sheriff's Office. They are versatile employees who respond to calls in the field. The Triage Case

Workers respond to the hospital emergency room and to Behavioral Health Centers within the City and County. They will also respond to the local jail for support services when needed. They act as a backup and provide "Wrap Around Services" for those in crisis. They provide and connect those in need with services while they are in crisis and at times more importantly provide follow-up supports afterward. They act as Behavioral Health Detectives; not the criminal type of detective, the Behavioral Health type of Detective. In addition to regular services they locate family members, doctors, lost prescriptions for medication, housing transportation and other ongoing services all aimed at providing a continuum of care with the supportive goals of reducing

impacts on law enforcement and lessening the behavioral health burdens on local hospital emergency rooms and jails. This program has been a huge success in Calaveras County. Deputy Sheriffs are spending significantly less patrol time responding to repeat calls for service. They are spending less time in hospital emergency rooms and in some cases are avoiding responding to calls as the Triage Staff from Behavioral Health are responding to non-life-threatening calls and conducting a “Triage Assessment” and referring the person in crisis to other services.



This program was so successful that in 2018 both the elected Sheriff Rick DiBasilio and one of the Triage Case Workers Brenda Hanley won an International Human Rights Award from the International Association of Chiefs of Police at the Annual Conference and Gala in Orlando, Florida.

The Calaveras County Oversight Team involves Triage Case Managers, a Jail Therapist, a Day Reporting Center Therapist, Law Enforcement Command Staff, the local Hospital Emergency Room Manager (Dignity Health), Probation and the Behavioral Health Department Head. This group provides direction, support and in some cases and staffing.

The success of this program has also resulted in cost savings to each of the organizations by deferring and referring some of the crisis calls or by other proactive measures preventing the crisis calls from occurring altogether.

After the success of the Adult Triage team there was a Children Triage Service team implemented to provide triage mobile crisis support for immediate crisis stabilization on school campuses and in the community to help youth in a mental health crisis and their families. ✨



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Recently Retired Sheriff



Sheriff Jeff Hollowell, Inyo County

On December 16, 2021, Sheriff Jeff Hollowell retired from the Inyo County Sheriff's Office after a 34 year career in law enforcement, serving the last 3 years as Sheriff.

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



CSSA WELCOMES OUR NEWEST SHERIFF



SHERIFF ERIC PRITCHARD, Inyo County

Sheriff Pritchard started his law enforcement career as a Correctional Officer and a Reserve Deputy in 1999 with the Inyo County Sheriff's Office. In 2000 he was promoted to Deputy Sheriff, where he graduated top of his class academically from the Riverside County Sheriff's Academy. During his career Eric was assigned to the Custody Division, as well as both the Southern and Northern Patrol divisions of Inyo County. Eric became a department instructor in Less Lethal Munitions, Tear Gas Weapons, Pepperball Launchers and Diversionary Devices. In addition to his patrol and training duties, he spent over 10 years as an operator with the agency's multi-jurisdictional Special Enforcement. Eric held the ranks of Corporal, Sergeant and Lieutenant. In 2018 he was appointed to serve as Undersheriff, where he oversaw the Operational, Administrative and Support Services Division, as well as the agency's personnel matters. Eric served as acting Sheriff until his official appointment by the Inyo County Board of Supervisors on January 19 of this year to fill the remainder of retired Sheriff Jeff Hollowell's term. ☆

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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- ★ Partner listing on our website, calsheriffs.org (Gold Members Only)
- ★ Partner listing with your website link on our website, calsheriffs.org (Platinum Members Only)

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A.



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Automobile

D.

Motorcycle

CALIFORNIA STATE SHERIFFS ASSOCIATION

California State Sheriff's Assoc. Foundation



L.



B.

Go to www.calsheriffs.org to view and purchase the latest merchandise available.

Merchandise Form



Name _____

Address _____

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Member Number _____ Email _____

Phone Number _____

ITEM	COLOR/SIZE/DESCRIPTION	QTY	UNIT PRICE	SUB TOTAL
A	Baseball Cap		\$15	
B	Lapel Pin		\$6	
D	License Plate Frame		\$8	
E	Lifetime Member Flashlight **		\$25	
EE	Orange Lifetime Member Flashlight		\$28	
F	Lifetime Member Hat		\$20	
G	Lifetime Member Metal License Plate Frame		\$15	
H	Thin Blue Line Performance T-shirt		\$25	
I	Men's Cotton Polo Shirt—Short Sleeve**		\$25	
J	Men's Long Sleeve Shirt		\$60	
K	Tow Hitch Cover		\$45	
L	Star Lapel Pin		\$5	
M	Sweatshirt**		\$35	
N	Men's Camp Shirts**		\$45	
P	Women's Cotton Polo Shirt**		\$25	
Q	Wireless NFC Bluetooth Speaker		\$40	
R	Black Full Zip Sweatshirt		\$40	
S	Black Soft-Shell Jacket		\$50	
T	Mesh Shorts		\$20	
U	Jacket		\$40	
V	Justice K9		\$14	
W	20 oz. Graphite Tumbler		\$10	
Y	Challenge Coin**		\$5	
Z	Belt Buckle		\$40	
ZZ	Challenge Coin		\$10	

PRICES GOOD FOR APRIL, MAY, JUNE 2022

** Limited Quantities Available

TOTAL FOR MERCHANDISE:

PLUS 8.75% TAX:

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

CONTRIBUTION:

ORDER TOTAL:

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

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

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

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Credit Card Number _____ Expiration Date _____

Name on Card _____

Authorized Signature _____ Security Code _____

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

California State Sheriffs' Association
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