

SUMMER 2021



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Turning the Page





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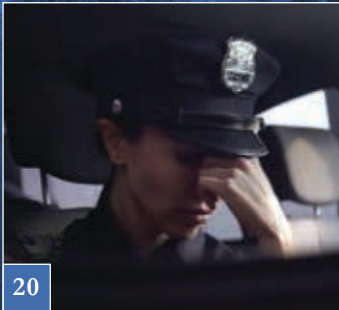
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CALIFORNIA POLICE CHIEF

SUMMER 2021



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ABOUT THE CALIFORNIA POLICE CHIEF

The biannual California Police Chief is the only magazine that reaches all of California's municipal chiefs of police with information regarding our members and their agencies. The magazine is designed to inform and inspire our members with articles about their personal and professional successes as well as offer updates and information about the association. The California Police Chief is part of our mission of serving as the voice of and resource of choice for California's municipal Police Chiefs. We appreciate and encourage our members and their agencies to submit articles to be used in future issues of California Police Chief, submission can be sent to Brady Guertin at bguertin@californiapolicechfs.org.

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Welcome From President Eric Nuñez



Last year was one of the more stressful years of my entire life. Not because of everything happening in policing, as consequential as the events were, but because I was a father-in-waiting! Try navigating the healthcare system to support an expecting mother during a pandemic. We had to change our birth plans due to the pandemic, and I was no longer allowed to accompany my wife to her doctor visits. On top of that, a contractor detected mold in our home during my wife's third trimester. She went to Sacramento to stay with family while I lived in a hotel near Seaside and visited her on weekends. We had to find a new doctor, hospital, and doula. Did I mention it was our first child? Our beautiful son made all of the anxiety worth it, but I was still ready to turn the page on 2020!

Turning the page is to make a new start after a period of difficulties. After last year, who could fault any of us for wanting to scuttle to the end of the book! The confluence of unprecedented challenges tested us: a deadly pandemic, widening economic inequality, and the bellowing calls for social justice amidst nationwide protests—and sometimes civil unrest—precipitated by George Floyd's horrific death.

The visceral video of George Floyd's demise deeply affected us all. How do we turn the page on what we witnessed, how it made us feel, and how it impacted our profession? Well, turning the page does not mean we discard what we endured. It means we use experience to shape our understanding. We can start anew while permitting the past to inform our future.

George Floyd's unconscionable demise catalyzed divergent groups to unify and demand systemic police reform. Arguably, no single incident in the last half-century has birthed such a proliferation of police reform bills as the dreadful death of George Floyd. As I have come to understand, many bills start with good intentions but are not fully formed and require fundamental amendments. We often find ourselves playing defense against innumerable legislation.

We have authored many historic bills like SB 230 and AB 392. Last year we codified and promoted our transformative legislative platform—CA Leading the Way! It “guides internal policy and programmatic change for law enforcement, it seeks to align police conduct with the expectations of the communities we serve” This year, we introduced SB 387. We should be incredibly proud of the work we have done, and this moment requires a similar proactive commitment to the enhancement of our profession.

Together, we turn the page by disarming the dubious and championing more powerful means of demonstrating our allegiance to transparency and accountability. We have a well-earned reputation for being thought leaders in this space and must be the originators of bills of this ilk. As we are fully aware, they are the critical precursors to trust and legitimacy, which work in tandem to create safer communities.

In my humble estimation, there is no more qualified group of leaders than our California Police Chiefs Association to show the world what turning the page on police improvement is! It is my honor to continue to guide the way alongside an esteemed group of executive leaders!

(At some point, I will turn the page on changing diapers and some sleepless nights, but I am enjoying every moment until then!!)

Eric Nuñez,
Chief of Police
Los Alamitos Police Department
CPCA President



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Membership Update

2021/2022 dues invoices went out via email on May 1, and a hard copy was mailed out in early June. If you have any questions about dues, please contact Shannon Mahoney, Member Services Manager, at smahoney@californiapolicechiefs.org.

Here are just some of the things we have been doing for you over the past year:

- Actively advocated for the defeat of legislation harmful to the law enforcement profession including Senate Bill 82 (Skinner): Robbery to petty theft, Senate Bill 210 (Wiener): ALPR retention, Assembly Bill 876 (Gabriel): Microstamping LE firearms, Assembly Bill 1509 (Lee): Removal of gun enhancements, and Assembly Bill 1224 (Levine): Elimination of special circumstances.
- Have worked hard to get amendments to Senate Bill 2 (Bradford): Decertification/civil liability, Senate Bill 16 (Skinner): Expansion of SB 1421, release of personnel files, Senate Bill 98 (McGuire): Media access to closed areas, Senate Bill 262 (Hertzberg): Zero-dollar bail, Senate Bill 519 (Wiener): Decriminalization of hallucinogens, Assembly Bill 26 (Holden): Use of force penalties, and Assembly Bill 481 (Chiu): Military equipment policies.
- Sponsored Senate Bill 387 (Portantino): Law Enforcement Education, which has been amended but has passed out of the Appropriations Committee.
- Have held all-chief calls to keep our members updated on current legislative issues and calls for action.
- Continue to encourage members to use our member community platform to engage and use the membership as a resource.
- Held in-person training programs that had previously been put on hold during the pandemic and had several people complete our Executive Development Certificate program.
- Transitioned our fall RIPA Data Collection Summit to a two-day virtual presentation with more than 300 attendees.
- Launched an on-line training platform and have held live and on-demand training including a successful four-session Leadership Development Series, a session on Civil Unrest in Your Community, a Critical Content Series and even a series that featured interviews with some of our members on different topics.
- Successfully transitioned our 2021 Annual Training Symposium to a virtual platform since an in-person event wasn't possible.
- Sent out hundreds of member information emails legal and legislative alerts, Capitol Updates and News Briefs to keep our members informed on new developments and offerings and to help agencies with their research requests.
- Formed a Mentoring Workgroup to develop and implement a membership mentoring program.
- Started a Communications Committee to provide a resource for our membership as it pertains to public relations, digital engagement, media, and other best practice strategies and methods of public outreach. The committee already has members representing Northern, Central and Southern California.
- Expanded the reach of our Technology Committee by bringing back the Sub-Committee on Emerging Technologies as a way for members to hear from some of the newest technology companies available to law enforcement and to encourage open technology related dialogue between peers.
- Continued to provide 30 minutes of free legal counsel with Jim Touchstone at Jones & Mayer to all chiefs.

Since the last membership update, we have had the pleasure of welcoming 37 new chiefs and 64 new associate members. The names and agencies are listed below. Please help us welcome them all! ■

CONGRATULATIONS NEW CHIEFS!

11/9/2020	Ronald Sligh <i>Ferndale PD</i>	2/1/2021	Rick Navarro <i>Mill Valley PD</i>	4/5/2021	Ryan Monaghan <i>Tiburon PD</i>
11/16/2020	John Munsey <i>Colma PD</i>	2/8/2021	Michael Greene <i>Benicia PD</i>	4/12/2021	Dave Norris <i>Menlo Park PD</i>
11/30/2020	Tom Cavallero <i>Merced PD</i>	2/8/2021	LeRonne Armstrong <i>Oakland PD</i>	4/13/2021	Edwin Brock <i>Arvin PD</i>
12/21/2020	Jimmy Duran <i>Brawley PD</i>	2/16/2021	David Povero <i>Corvina PD</i>	4/20/2021	Tony Conrad <i>Murrieta PD</i>
12/27/2020	Chris Hsiung <i>Mountain View PD</i>	2/22/2021	Kenny Williams <i>McFarland PD</i>	5/1/2021	Adam Hawley <i>Brea PD</i>
12/29/2020	Jason Benites <i>Oxnard PD</i>	3/1/2021	Kevin Kilgore <i>Sebastopol PD</i>	5/7/2021	Brian Solinsky <i>South Pasadena PD</i>
1/1/2021	Jeffrey Arnold <i>Ione PD</i>	3/2/2021	Troy Bergstrom <i>Roseville PD</i>	5/13/2021	Rick Scott <i>San Luis Obispo PD</i>
1/2/2021	Marc Schneider <i>Santa Maria PD</i>	3/10/2021	Rob Strange <i>West Sacramento PD</i>	5/15/2021	Michael Gancasz <i>Kensington PD</i>
1/4/2021	Jeff Jennings <i>Emeryville PD</i>	3/22/2021	Anthony Mata <i>San Jose PD</i>	5/24/2021	Matt Alves <i>Lincoln PD</i>
1/9/2021	Roy Nakamura <i>Arcadia PD</i>	3/22/2021	Fred Armijo <i>Oceanside PD</i>	6/03/2021	Keith Boyd <i>King City PD</i>
1/11/2021	Paco Balderrama <i>Fresno PD</i>	3/24/2021	Eric Parra <i>Alhambra PD</i>	6/07/2021	Carlos Reynoso <i>Hollister PD</i>
1/14/2021	Henry Dominguez <i>Colton PD</i>	3/31/2021	Bob Newman <i>Corona PD</i>	6/08/2021	Nishant Joshi <i>Alameda PD</i>
1/22/2021	Randall Billingsley <i>Truckee PD</i>	3/31/2021	Raffaello Pata <i>Ross PD</i>		

CONGRATULATIONS NEW ASSOCIATES!

Dan Larsen <i>Commander, Atherton PD</i>	Nicole Garing <i>Lieutenant, Citrus Heights PD</i>	Ryan Elmore <i>Lieutenant, Elk Grove PD</i>
Andrew Espinoza <i>Captain, Barstow PD</i>	Wesley Herman <i>Lieutenant, Citrus Heights PD</i>	Chad Lewis <i>Captain, Elk Grove PD</i>
Kenneth Stenquist <i>Lieutenant, Belmont PD</i>	Chad Morris <i>Lieutenant, Citrus Heights PD</i>	Rodney Rego <i>Captain, Elk Grove PD</i>
Kenny Hart <i>Lieutenant, Benicia PD</i>	Michael Wells <i>Lieutenant, Citrus Heights PD</i>	Ryan Elmore <i>Lieutenant, Elk Grove PD</i>
Joe Okies <i>Lieutenant, Berkeley PD</i>	Dan Bloomfield <i>Lieutenant, Corona PD</i>	David Cramer <i>Captain, Escondido PD</i>
Christopher Harvey <i>Lieutenant, Brea PD</i>	Paul Mercado <i>Captain, Corona PD</i>	Justin Murphy <i>Captain, Escondido PD</i>
Brad Geyer <i>Captain, Buena Park PD</i>	Adam Roulston <i>Captain, Corona PD</i>	Sean Washington <i>Captain, Fremont PD</i>
Jason Baldwin <i>Lieutenant, Citrus Heights PD</i>	Troy Dunlap <i>Captain, Culver City PD</i>	Juan Rocha <i>Captain, Gilroy PD</i>
Kris Frey <i>Lieutenant, Citrus Heights PD</i>	David Clyde Carson <i>Commander, East Palo Alto PD</i>	Bryan Millard <i>Commander, Grover Beach PD</i>

CONGRATULATIONS NEW ASSOCIATES! *Continued***Dwayne Collard***Commander, Hercules PD***Landon Phillips***Lieutenant, Hermosa Beach PD***Rosie Betanio***Lieutenant, Hollister PD***Ronald Wilkerson***Captain, La Palma PD***Rachel Johnson***Captain, Laguna Beach PD***John Reynolds***Lieutenant, Livermore PD***Jamie Field***Captain, Los Gatos-Monte Sereno PD***Michael Aguilar***Captain, Manteca PD***Stephen Schluer***Lieutenant, Manteca PD***Tyler Jamison***Lieutenant, Milpitas PD***Ethan Andrews***Lieutenant, Monterey PD***Mario Ramirez***Captain, Morgan Hill PD***Aaron Towner***Captain, Orange PD***Denise Shadinger***Commander, Oxnard PD***Dan Maciel***Commander, Placerville PD***John Meuser***Commander, Placerville PD***Kurt Schlehuber***Captain, Pleasanton PD***Paul Joseph***Assistant Chief, San Jose PD***Jason Boust***Lieutenant, Sanger PD***Wahid Kazem***Assistant Chief, Santa Clara PD***Derek Rush***Assistant Chief, Santa Clara PD***Candice Cobarrubias***Captain, Santa Monica PD***Darrick Jacob***Captain, Santa Monica PD***Thomas McLaughlin***Captain, Santa Monica PD***Saul Rodriguez***Captain, Santa Monica PD***Steve Shorts***Commander, Simi Valley PD***Thomas Jacobs***Lieutenant, South Pasadena PD***Shannon Robledo***Lieutenant, South Pasadena PD***Hank Syu***Captain, Sunnyvale DPS***Neil Cervenka***Lieutenant, Turlock PD***Osvaldo Dominguez***Lieutenant, Visalia PD***Luma Fahoum***Lieutenant, Visalia PD***Kevin Kroeze***Lieutenant, Visalia PD***Carl Crouch***Deputy Chief, West Sacramento PD***Bryan Fritsch***Lieutenant, West Sacramento PD***Ryan Lukins***Lieutenant, West Sacramento PD***Nathan Steele***Lieutenant, West Sacramento PD***Jason Winger***Lieutenant, West Sacramento PD***Kim Charles Slade***Lieutenant, Yuba City PD*

IN REMEMBRANCE

*We would like to take a moment to remember those chiefs who are no longer with us.***Richard Bull***Ripon Police Department***James Clark***Arroyo Grande Police Department***Jerry Cole***Atwater Police Department***Richard Emerson***Chula Vista Police Department***Raymond McLean***Ventura Police Department***Larry Murdo***Albany Police Department***Beau Pryor***Arroyo Grande Police Department***Jon Reither***Pacific Grove Police Department***Earl Sanders***San Francisco Police Department***Russ Thomas***Merced Police Department***Dennis Wick***Half Moon Bay Police Department*

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“The Supreme Court Clarifies the Extent of Authority of Indian Tribal Peace Officers on Public Rights-of-Way on Reservation Land”

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

A complex body of case law determines the extent of state and federal officials’ jurisdiction to enforce various laws on sovereign Indian reservation land. In addition, case law has been evolving on the issue of the jurisdictional authority of tribal peace officers to enforce laws on reservation land as to non-Indians. In a unanimous decision, the United States Supreme Court, in *United States v. Cooley*,¹ recently answered the question of whether an Indian tribal peace officer has the authority to detain temporarily and to search a non-Indian on a public right-of-way that runs through an Indian reservation. The *Cooley* case answered this question in the affirmative and takes a large step in clarifying some of the questions surrounding tribal peace officer authority. A discussion of this important case follows.

BACKGROUND

United States Highway 212 is a public right-of-way within the Crow Reservation in the State of Montana. Officer James Saylor of the Crow Police Department was driving east on Highway 212 late at night in February 2016 when he saw a truck parked on the westbound side of the highway. Believing the occupants might need assistance, Saylor approached the truck and spoke to the driver, Joshua James Cooley. Saylor observed that Cooley had watery, bloodshot eyes and appeared to be non-native.

Saylor also saw two semiautomatic rifles lying on the front seat of the vehicle. Fearing violence, Saylor ordered Cooley out of the truck and conducted a pat-down search. He also called tribal and county officers for assistance. While waiting for the officers to arrive, Saylor returned to the truck. Inside the truck, Saylor saw a glass pipe and plastic bag that contained methamphetamine. The other officers, including an officer with the federal Bureau of Indian Affairs, arrived on the scene. They directed Saylor to seize all contraband in plain view, whereupon Saylor discovered more methamphetamine. Saylor took Cooley to the Crow Police Department where federal and local officers further questioned Cooley.

Subsequently, a federal grand jury indicted Cooley on drug and gun offenses. The District Court granted Cooley’s motion to suppress the drug evidence that Saylor had seized, reasoning that Saylor, as a Crow Tribe peace officer, lacked the authority to investigate nonapparent violations of state or federal law by a non-Indian on a public right-of-way crossing the reservation. The Government appealed.

The Ninth Circuit Court of Appeals affirmed the District Court’s decision to suppress the evidence. The Court wrote that tribes cannot exclude non-Indians from a state or federal highway and “lack the ancillary power to investigate non-Indians who are using such public rights-of-way.” The Court stated that a tribal police officer nonetheless could stop (and hold for a reasonable time) a non-Indian suspect, but only if (1) the officer first tried to determine whether “the person is an Indian,” and, if the person turns out to be a non-Indian, (2) it is

“apparent” that the person has violated state or federal law. Because Saylor had not initially tried to determine whether Cooley was an Indian, the Ninth Circuit held that the District Court had correctly suppressed the evidence. The Ninth Circuit subsequently denied the Government’s request for rehearing *en banc*. The Supreme Court of the United States granted the Government’s petition for certiorari.

DISCUSSION

The Supreme Court observed that the question addressed here was whether an Indian tribe’s peace officer has the authority to detain temporarily and search a non-Indian on a public right-of-way that runs through an Indian reservation for potential violations of state or federal law prior to the suspect’s transport to the proper nontribal authorities for prosecution.

The Court explained that it had long ago described Indian tribes as “distinct, independent political communities” exercising sovereign authority. *Worcester v. Georgia*, 6 Pet. 515, 559 (1832). However, the “sovereignty that the Indian tribes retain is of a unique and limited character”² due to their incorporation into the United States. Tribal authority remains subject to the plenary authority of Congress. The Court noted that tribes generally lack inherent sovereign power to exercise criminal jurisdiction over non-Indians. See *Olipphant v. Suquamish Tribe*, 435 U. S. 191, 212 (1978). However, the Court noted that it previously had held exceptions to this general rule.

The Court observed that a tribal peace officer has authority to detain temporarily and to search non-Indian persons traveling on public rights-of-way running through a reservation for potential violations of state or federal law based upon the second exception identified in the *Montana* decision. Namely, a tribe retains inherent authority over the conduct of non-Indians on the reservation “when that conduct threatens or has some direct effect on . . . the health or welfare of the tribe.” *Id.*, at 566. The Court concluded that Saylor’s actions fell within this exception and was consistent with the prior *Montana* line of cases. For example, the Court noted that it had held that when the

“jurisdiction to try and punish an offender rests outside the tribe, tribal officers may exercise their power to detain the offender and transport him to the proper authorities.” *Duro v. Reina*, 495 U. S. 676, 697 (1990). The Court determined that ancillary to the authority to transport a non-Indian suspect is the authority to search that individual prior to transport, as several state courts and other federal courts have held.

In addition, the Court stated that recognizing a tribal officer’s authority to investigate potential violations of state or federal laws that apply to non-Indians whether outside a reservation or on a public right-of-way within the reservation protects public safety without implicating the concerns about applying tribal laws to non-Indians noted in the Court’s prior cases. Moreover, the Court questioned the workability of the Ninth Circuit’s standards, which would require tribal officers first to determine whether a suspect is non-Indian and, if so, to temporarily detain a non-Indian only for “apparent” legal violations. The Court stated that the first requirement produced an incentive to lie by those detained. The second requirement introduced a new standard into search and seizure law that created a problem of interpretation that will arise frequently given the prevalence of non-Indians on Indian reservations.

Justice Alito authored a succinct concurring opinion summarizing his interpretation of the case: “I join the opinion of the Court on the understanding that it holds no more than the following: On a public right-of-way that traverses an Indian reservation and is primarily

patrolled by tribal police, a tribal police officer has the authority to (a) stop a non-Indian motorist if the officer has reasonable suspicion that the motorist may violate or has violated federal or state law, (b) conduct a search to the extent necessary to protect himself or others, and (c) if the tribal officer has probable cause, detain the motorist for the period of time reasonably necessary for a non-tribal officer to arrive on the scene.”

Justice Alito’s concurring opinion encapsulates the *Cooley* decision in an easy-to-understand paragraph for law enforcement officers, both Indian and non-Indian, to apply in the field that provides clarity as to the scope of a tribal peace officer’s authority in similar circumstances. With this refreshingly clear guidance from the Supreme Court on this issue, tribal peace officers now have the framework to ensure proper enforcement of the law on public rights-of-way running through Indian reservation land, while also preserving the constitutional rights of those travelling thereon. ■

REFERENCES

- 1 2021 U.S. LEXIS 2816 (June 1, 2021).
- 2 United States v. Wheeler, 435 U. S. 313, 323 (1978).

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Crisis Negotiating within the **California Legislature**

By: Jonathan Feldman

Legislative Advocate – California Police Chiefs Association

N*egotiating amendments to legislation has never been easy, but it has become even harder given our current political climate. A surge in new groups unwilling to compromise on police reform, coupled with the closure of the State Capitol, has made resolving even minor policy concerns increasingly difficult. Yearlong sparring matches over new statutes play out chess matches with each side maneuvering pieces across a political playing field. Like chess, there are rules to this process, but unlike chess, these rules are unwritten and are often broken.*

The California Legislature introduces roughly 2,000 bills per year, of which CPCA tracks nearly three hundred. Ultimately, we take active position on 60-80 bills, mostly in opposition these days. Even under the best circumstances, we cannot defeat that many bills, especially given the current makeup of the Assembly and Senate (now both over and beyond a supermajority of Democrats in both Houses). Facing these realities, we categorize bills in terms of priorities and those we can resolve with amendments.

Choosing which bills to negotiate comes down to certain factors. First, is an analysis of the bills likely to pass and get signed into law. This is easier done than some would expect – we know the authors, the committees, the vote counts, the politics and can easily separate out measures we expect to make through the process. But we cannot base our decision solely on whether a bill will pass. Some measures are non-starters and demand we stand firm, other times there are bills we could defeat but agree there is an underlying problem that needs to be addressed. Our focus is always to find the best outcome, not just within each individual bill, but in the totality of the 60-80 bills we engage on each year.

The other factors to consider include who is the author of the bill – is it a friend, or foe, or leadership – all of that matters in terms of who will be willing to listen to our concerns or have the ability to influence other priority bills. We also consider whether the issue is a priority to outside groups, allies, or the governor; all that must be considered. When it's all said and done, we usually identify a dozen or more bills to negotiate throughout the year.

The unwritten rules of the Legislature dictate that we must first present our concerns and amendments to the author of each particular bill. If we attempt to force the amendments into a bill without speaking directly to the author, the other members of the Assembly or Senate will see that as bad faith tactics and will be less inclined to assist. Even in cases where we know the author and sponsors of a bill will not listen, we still have to have these conversations. In prior years we found more opportunities to work out concerns amicably, but in more and more cases, we find the need to apply pressure before seeing any movement towards a compromise.

Applying enough pressure to force amendments into a bill typically comes down to votes. Ultimately, a bill needs votes, and if we can hold them short, we can force changes. As mentioned above, most legislators need to have seen our attempt to negotiate amendments before they are willing to align with our concerns. Now comes the back and forth.

During negotiations over hostile amendments, our goal is to force concessions to address our major concerns, while the authors goals is to limit any changes. This process mirrors the bartering at a pawn

shop – our first ask is well above our bottom line, which the other side is determined to find. With the Legislature hearing thousands of bills each year, the specific negotiations over one particular bill can sometimes happen during a critical juncture within a day. Our work focuses on preparing for these moments by predicting the timing to get ahead of the debate and create our advantage.

The Legislature is also governed by a set of House Rules that set deadlines and parameters for the entire process. Knowing these rules can help position us with angles to negotiate. However, we can never rely on the rules alone, as they can be bent and broken by those in control and whose interests are not always aligned with ours.

Through all these unwritten rules and political chess matches, CPCA has found success time and again negotiating major amendments to major legislation. From use of force laws to asset forfeiture and sanctuary state reforms, we have managed to prevent disaster in each instance. Whether we can continue to find measured success in the face of our current political climate remains to be seen. Luckily, we are experienced and prepared for the crisis negotiations ahead. ■



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Officer Wellness Leadership in 2021 and Beyond

By: **Dr. David Black**, *Chief Psychologist, California Police Chiefs Association Wellness Committee*

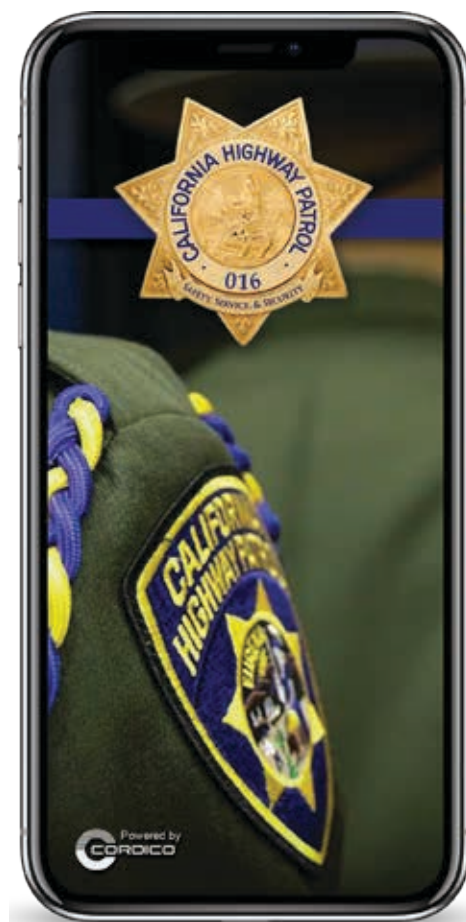
Today's police chiefs face extraordinary pressures, including the pandemic, understaffing, recruitment and retention challenges, officer-involved shootings and other critical incidents, and anti-police sentiment. Law enforcement continues to operate under historic levels of stress and strain as they carry out the most dangerous, courageous and noblest of missions: keeping our communities safe and secure from growing threats. Wearing body armor, running toward shots fired and risking their lives every day – often for people whose names they do not know – law enforcement are our nation's true heroes, and they need our support, now more than ever.

For all their service and sacrifice, law enforcement officers pay a terrible price. While officers enter the profession mentally and physically fit, idealistic and resilient, the stress stacks up, with severe mental and physical consequences. Research shows officers encounter 188 critical incidents across their career on average, vastly more than the general population. Depression rates double for police within the first five years on the job, and the risk for PTSD increases with each additional trauma exposure. Officers displaying five common symptoms of PTSD are at 14 times the risk

of experiencing suicidal thoughts. About 1 in 12 officers report having suicidal thoughts in the past year alone and officer suicides outnumber all combined LODDs. Both depression and PTSD are associated with shorter life expectancy, as are many physical consequences (including heart disease) resulting from long-term police work.

Fortunately, solutions are available. Prioritizing officer wellness provides a unique leverage point for chiefs to positively affect their departments. Strengthening officer wellness boosts recruitment, retention, morale, performance, decision-making and relationships. Many California departments experience benefits from programs such as peer support teams and law enforcement chaplains as well as using vetted therapists who are skilled at supporting police.

Many chiefs also have placed CordicoShield directly into the hands of their officers, spouses and retirees, giving them 24/7 access to the best available, confidential officer wellness tools and resources. Customized for agencies of all sizes (from the California Highway Patrol to agencies with fewer than 10 personnel), the Cordico team builds each app to fortify each department's wellness culture. Cordico does this by integrating existing resources, incorporating best



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CordicoShield contains a complete range of self-assessments as well as videos and guides on more than 60 behavioral health topics. This includes agency-specific content as well as one-touch access to peer support, vetted therapists, and chaplains – all backed by 5-star customer service covering design, implementation and ongoing support. No other officer wellness solution combines the level of support, quality, ease of use and continuous upgrades as Cordico.

Want to make a real, positive difference for your department? See what other chiefs across the United States have discovered at www.cordico.com and request more information today. Cordico supports law enforcement and our team is ready to serve your agency. ■

APX NEXT

PROTECT YOUR FOCUS





HEALTH AND WELLNESS SPOTLIGHT:

The importance of the chief's health

By: Anna Fitch Courie

Director, Responder Wellness, FirstNet, Built with AT&T

*About a year before I left my job working for the U.S. Army, a General Officer I had known died suddenly, shortly after retiring. I wish I could say this was the only tragic story of a great leader dying after giving their time, talent and purpose to take care of their people and mission. **But it's not.***

Those in high-stress careers have a lower life expectancy than the general population. Leadership can take a toll. And while public safety is stressful, leadership in public safety can be exponentially more so.

Stress is a silent killer. Yes, stress can be good to a certain degree. It heightens awareness. It focuses our attention so we can achieve specific goals. And in dangerous situations, it's the body's defense mechanism to keep us safe. But this message can be misleading for professions that are chronically stressful. We take stress for granted because it comes with the territory. And we need to rethink this, especially in leadership.

"SHEEPDOG" PROFESSIONS

LTC (Ret) Dave Grossman, author of *On Killing* and *On Combat* (among other titles) calls public safety "sheepdog" professions or protector professions. I look at this cohort of professions (military, law enforcement, fire, EMT, dispatch, etc.) as those that run towards trouble instead of away from it. That commitment is inherently stressful. And the chiefs who lead these professions have a level of stress that has a compounding effect on their bodies.

Let's take a look at the impact of chronic stress on the human body. Stress increases cortisol and that constant stream of cortisol is tough on cardiovascular (heart) health. First responders have a higher risk for cardiovascular disease than the general population. The effects of chronic stress, shift work, sometimes sedentary work, coupled with a poor diet lead towards a high mortality rate associated with cardiovascular disease.¹ And while heart health is an issue for all public safety, it's important for chiefs to think about their own health and not just the health of their people.²

LEAD FROM THE FRONT

You know the health of your people is vital to the responsiveness of your organization. Officers who are healthy and resilient are more likely to respond effectively in high stress situations than those who have not addressed chronic health issues. Your health is just as important.

I subscribe to servant leadership. We should not ask our subordinates, peers, or associates to do anything we wouldn't do ourselves. So, if you are encouraging your people to take care of their mental and physical health, you need to do the same. You will be more effective at your job when you take the time to take care of yourself.

THEY ARE WATCHING

Your subordinates are watching. They want to see if your deeds match your words. It will be hard for your junior officers to take their mental and physical health seriously if they don't see you prioritizing your own. Your behaviors drive the culture you want to see in your organization. People are more likely to take action with healthy behaviors when it's knit into the department's culture, starting at the top. We also know organizations that collaborate in healthy endeavors build a sense of community and belonging. Relationships built around a common theme help develop a community of resilience. And this is critical to the success of public safety in executing their mission.

REMEMBER YOUR PURPOSE

Reflect on why you got into public safety. Odds are you did it out of a desire to serve and protect. That's the reason you put on the uniform every day. And the gift of leadership lets you tap into those values to guide the people you lead. People who see value and meaning in the work they do are more satisfied, have higher resiliency, and feel a sense of gratitude for the opportunity to make a difference. You're not in your leadership position by happenstance. You are there for a reason. You can use that to drive the transformation you want to see.

GET YOUR CHECKUPS

You already live the stressful life that public safety seems to take for the norm. That means there will be impacts on your body as you get older. You will be more prone to injury and illness – especially if you're not taking time for self-care. As you age, things like high blood pressure, cancer, diabetes, and stroke become real threats. Getting regular checkups with a professional lets you keep an eye out for these risk factors so you can continue to age with grace and verve.

Don't put these habits off until you retire or "have more time." These habits are central to your personal health and the health of your organization. So, this is your opportunity to shift a trend where hard-charging, dedicated leaders work hard, give their all and then die of a heart attack. Let's change that.

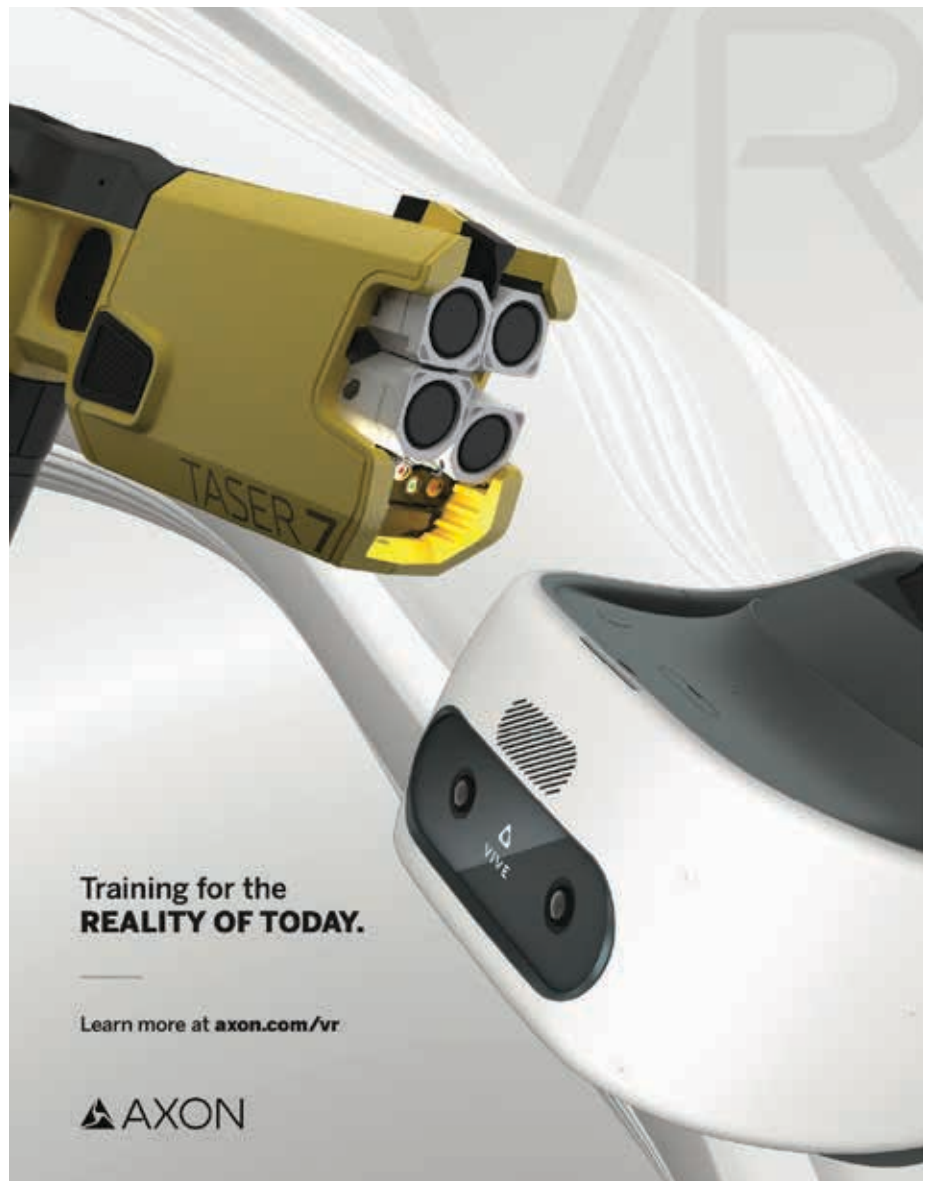
I challenge you to work on these habits as a part of your 2021 plan. You'll see a personal benefit – and your organization will as well. I want to help you improve your own health. So, that one day you can enjoy and thrive in a retirement you richly deserve. ■

ABOUT THE AUTHOR

Dr. Anna Fitch Courie, Director of Responder Wellness, FirstNet Program at AT&T, is a nurse, Army wife, former university faculty, and author. Anna holds a Bachelor's in Nursing from Clemson University; a Master's in Nursing Education from the University of Wyoming; and a Doctor of Nursing Practice degree from Ohio State University. She is a passionate Clemson football fan; loves to read, cook, walk, hike; and prior to COVID19, was an avid traveler.

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UBER'S LAW ENFORCEMENT AND PUBLIC SAFETY RESPONSE VIDEO TUTORIAL

Uber's Law Enforcement Operations Team created a new video tutorial for law enforcement and public safety officials. To view this tutorial and learn more about how we can assist your agency.

Uber Implements Additional Safety Features

The Law Enforcement Operations team would like to share these exciting new safety features implemented to reduce criminal activity and continue to place safety at the front of everything we do. These features are highlighted below and may help with investigations.

New ID Requirements for Certain Payment Methods:

On April 9th, Uber launched new identification requirements in the US for rider accounts using certain payment methods. All new rider accounts using prepaid credit cards, gift cards, and Venmo must upload an ID, driver's license, or passport. This new feature is intended to provide additional driver safety measures by helping to reduce incidents such as carjackings and human trafficking through rider verification. To learn more, read [Chicago Sun Times; Uber Launches Rider Verification](#)

Industry Sharing Safety Program:

Uber and Lyft have come together to share information about drivers and delivery people who are deactivated from the platform for the most serious safety incidents including sexual assault and physical assaults resulting in a fatality. To learn more about this program, read [Sharing to Build a Safer Industry](#)

Verify Your Ride:

In 2019, Uber launched Verify your Ride, an opt-in feature for riders to help ensure they are getting into the right vehicle using PIN Verification. Now, Uber has taken this technology a step further with Wireless Verification, a new technology that uses sound waves to automatically transmit your PIN and verify you're in the right car.

Attention Portal Users!

Please read these important reminders from our Law Enforcement Response Team (LERT) Specialists:

LERT reminds portal users when submitting an Emergency Request, please **do not** upload a legal process (subpoenas, court orders, or search warrants). If your request is exigent, please note that in the "Description" section when completing the online request. Submitting legal process with an Emergency Request may delay responses.

In the News...

The Law Enforcement Operations team consists of dedicated Regional Liaisons who work side-by-side with law enforcement agencies to help raise awareness and build stronger relationships in our communities.

Uber rides and your safety: How the rideshare company is helping fight carjackings, sex trafficking

– [ABC7 Chicago](#)

D.C. police create task force to deal with increase in carjackings and auto thefts

– [ABC7 Washington](#)

Rideshare companies work on ways to keep Northeast Ohio drivers safer as carjackings on the rise

– [WOIO News 19 Cleveland](#)

Upcoming Events, Sponsorships, & Presentations

FBINAA 2021 Annual Conference *(In-Person)*

July 7-10, 2021 | Orlando, FL | Exhibition Hall, Booth #721

The International Summit on Counter-Sex Trafficking *(Virtual)*

June 22-24, 2021

Techno Security and Digital Forensics Conference *(In-Person)*

August 2-4, 2021 | Denver, CO

Helpful Resources

- lert.uber.com - Law Enforcement Portal web address - please provide this to other law enforcement officers, law enforcement analysts, and prosecutors.
- [Frequently Asked Questions \(FAQ\)](#) - The public FAQs are updated. Please stay tuned for country specific FAQs
- [Law Enforcement Guidelines](#) - These guidelines provide an overview of the data collected and which legal process is required to obtain that data.


- [Portal User Guide](#) - This section provides step-by-step instructions on how to submit a request, set up an account, navigate your account, and access data.
- [Postmates Acquisition Investor Announcement](#) - Uber recently acquired Postmates - an on-demand delivery and pickup platform. Investigators can request Postmates data through Uber's law enforcement portal.
- [Uber Safety](#) - This website provides details about all of Uber's safety products and initiatives - some are campaigns while others are built right into the Uber app. ■

NOTICE: Uber Technologies, Inc. has a new address - going forward all legal process must reflect this change of address or it will be returned:

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MAINTAINING CALM UNDER PRESSURE:

The Continued Importance of Due Process in Discipline Cases in the Face of Public Demands for Immediate Action

By: Allen Acosta

Associate, Liebert Cassidy Whitmore

Cameras are omnipresent and, with the click of a button, controversial use of force incidents can be broadcast to people all over the world in seconds. There is scarcely time for a chief to plan how their agency will respond to an incident, and the public may demand the involved officer be terminated immediately and criminally charged. Elected leaders also feel the heat and sometimes pressure the chief to do as the public demands.

In confronting these rapidly evolving events, a chief must balance the competing interests at stake. The public has a vital interest in fair and equitable police practices and may reasonably expect that officers engaging in misconduct are held accountable. But most officers have job protection, and chiefs must account for officers' constitutional rights when implementing discipline or terminating their employment.

The courts, administrative bodies, and arbitrators will have years to scrutinize a chief's decision to terminate an officer, long after the public's anger has subsided. Thus, a department's failure to conduct a fair and impartial investigation and provide a terminated officer with Constitutional due process may have the unintended effect of allowing that officer to avoid discipline altogether. By protecting the integrity of an internal investigation and affording accused officers due process in the short term, chiefs can best serve the public's interest in the long run by holding culpable officers accountable for their misconduct.

Pre-termination Due Process Hearing

In the seminal *Cleveland Bd. of Education v. Loudermill* decision, the United States Supreme Court held that tenured public employees have a constitutionally protected property interest in their employment and, thus, have due process rights to a meaningful pre-termination hearing.¹ The purpose of this hearing is to provide an "initial check against mistaken decisions—essentially, a determination that the charges against the employee are true and support the proposed action."² At a minimum, a meaningful pre-termination hearing requires that the employees be given notice of the charges, an explanation of the employer's evidence and an opportunity to present their side of the story.

Although a decision-maker at the pre-termination hearing, such as the chief, may be familiar with the case, the decision-maker should not decide to terminate before the hearing. A prior determination to terminate an employee renders the hearing illusory and does not satisfy the Constitution's due process requirements.³ For this

reason, a decision-maker must remain open-minded and refrain from publicly commenting on the alleged misconduct or committing to any particular discipline.

Post-termination Due Process hearing

If termination is still deemed warranted after the pre-termination hearing, the employee is also entitled to a post-termination evidentiary hearing before a neutral hearing officer or board, the right to counsel and call and cross-examine witnesses. At the post-termination hearing, the terminated employee is likely to challenge the fairness or accuracy of the investigation and suggest that the investigation was rushed or influenced by political considerations. For these reasons, departments should ensure that investigators have wide-latitude to conduct a thorough investigation. The investigator can be a supervisor, a human resources or personnel employee, an outside consultant, a private investigator or an in-house or contract attorney.

Public statements and records disclosures

Due process takes time. And this reality may dissatisfy the public and elected officials. Because of this, a chief must find ways to communicate with the public and respond to valid concerns about police misconduct without jeopardizing on-going investigations or discipline.

The National trend appears to be towards more disclosure of law enforcement personnel and disciplinary history. In California, officers' personnel records, including records of the imposition and appeal of discipline, are generally confidential and not subject to public disclosure. In 2018, the state enacted S.B. 1421 and A.B. 748, which made specific categories of personnel records subject to disclosure, specifically records of officer-involved shootings, uses of force resulting in death or great bodily injury, sexual assault by an officer involving a member of the public, and some dishonesty.

Departments can build public trust by releasing as many records as legally possible without undermining an on-going case. But even if few or no records may be disclosed, departments can still build trust by informing the public about the process, especially the anticipated timeline for completion.

Maintaining Employee Morale

Though often warranted, increased public scrutiny has the effect of reducing the number of qualified recruits and increasing the number of veteran officers choosing to retire. Officers are concerned about losing their careers in the course of a day, even if they act lawfully or make good-faith mistakes. Conducting internal investigations by the book and providing officers with the requisite due process has the added benefit of signaling to officers that internal investigations are handled fairly and without regard to political pressure. Legally permissible disclosure of information to officers helps them better understand what has happened so that it is less likely they will draw incorrect conclusions.

Key Points

- Providing officers with the requisite due process ensures that any termination or disciplinary action is not vulnerable to reversal and best protects the public's interest in holding officers accountable for misconduct.
- Pre-termination due process hearings require that employees be informed of the reasons for and evidence supporting the termination and given an opportunity to tell their side of the story.
- Decision-makers should not comment about the alleged misconduct or the appropriateness of termination. Due process requires that decision-makers remain open-minded before the hearing.
- Following termination, the employee is entitled to a post-termination evidentiary hearing with an impartial hearing officer or body.
- Departments should aim to communicate with the public to inform them that an investigation is underway and that no comments can be made while the investigation is ongoing. Still, the Department should release records related to the incident that are subject to public disclosure under state public information/records laws. ■

ABOUT THE AUTHOR

J. Scott Tiedemann is the Managing Partner of Liebert Cassidy Whitmore, California's largest public sector and non-profit labor and employment law firm. Scott advises public safety agencies across California on a myriad of personnel issues, including internal affairs investigations, responding to a critical incident, and the training standards for peace officers in California. Scott has represented public safety agencies in many high-profile matters involving unreasonable or excessive use of force.

Allen Acosta is an Associate at the Los Angeles office of Liebert Cassidy Whitmore. Allen advises public agencies with labor and employment matters and has represented public safety agencies in disciplinary proceedings and litigation in state and federal courts. Allen has significant experience with police practices and has previously served as a prosecutor and defended law enforcement officers in civil rights lawsuits as an in-house counsel for a government agency.

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Burbank Police Raise Halloween Spirits with 'Reverse Trick-or-Treat' Event

By: Sergeant Derek Green
Burbank Police Public Information Officer

Amid the ongoing Covid-19 pandemic, Halloween looked a little different this year with many children electing to stay home and forgo trick-or-treating. In Burbank, California, Police Officers wanted to ensure kids had something to look forward to. They developed a plan and came up with a "Reverse Trick-or-Treat" event.

Beginning on October 24 and running through Halloween, Burbank Police hosted a coloring contest, where community members could download a blank BPD pumpkin, color, and decorate it, and then tape it in a window that faces the street. Throughout the week, police officers looked for the pumpkins while patrolling neighborhoods.

Once a pumpkin was spotted, Burbank Police Officers stopped and delivered a Halloween trick-or-treat bag, filled with surprises.

The event received an overwhelming response and led to the delivery of nearly 300 bags. The bags contained a variety of items from candy to glow sticks, pencils, and bookmarks with Halloween and other important safety tips.

"This event was just another example of how our department has adapted to the changes associated with Covid-19," said Scott LaChasse, Burbank Chief of Police. "The positive interactions between community members and our police officers is an important part of our policing mission."

The "Reverse Trick-or-Treat" event was a community outreach campaign in support of the continued effort to help slow the spread of the Covid-19 virus, while strengthening police-community partnerships. ■





Connecting with our Migrant Community

By: Robert Nevarez

Chief of Police, Delano Police Department

Delano Grape Strike-

In 1965, Delano, California found itself in the national spotlight when Cesar Chavez and Larry Itliong joined forces to lead the Delano Grape Strike that eventually forced grape growers to the bargaining table with the United Farm Workers union. Chavez is well-known for his work to obtain better working conditions for farm laborers, with his birthday recognized as a holiday in many states. Itliong was lesser known but essential to this movement. At Chavez's urging, the Delano Grape Strike remained non-violent. It was effective yet lasted five grueling years.

As a result of this strike and a related boycott of table grapes, many households stopped buying grapes with a great deal of produce rotting away. The financial pressure led to farmers increasing the meager wages of farmworkers, contributions to employee's health insurance and protections from pesticides. Compared to today's standards, the changes may not have seemed like much, however these bold actions laid the foundation for improvements that would occur over the following decades.

During this time, clashes between police and farm laborers became common and relations grew tense.

The seeds of distrust for police had been sown.

Delano today -

In 2018, I came to the Delano Police Department, eager and excited to lead. Thirty-two years with the Fresno Police Department, seemed like the perfect training grounds for a new chief to lead a police department in a community with deep Hispanic cultural roots and the unique history of Delano. As the son of a Mexican farm-laborer who labored in fields of the Central Valley in the 60's, I was quite familiar with the story of Cesar Chavez, boycotts and "huelgas", but I was naïve to its true significance in Delano.

Soon after being sworn in as police chief, I took a few walks up and down Main Street, interacted with community members, and heard a clear message. It was not enough to simply talk about trust and cooperation. These street-savvy residents expected the new chief and his department to demonstrate that they were worthy of trust, and this would only come from behavior. Show us, they said.

El Tao Tao -

Any good leader knows they are only as good as the people on their team. I was fortunate to step into an agency with numerous officers already on board with a deep concern for the population they served. Less than two months after being sworn in, I found myself

facing good-natured pressure to personally participate in the “Police lip-synch challenge video” that had swept the nation. It seemed that most of the department had submitted 15 to 20 second clips and the only one missing was mine.

My team instinctively knew that our rendition had to connect with our local Hispanic community. As a result, officers performed a variety of lip-synchs to Latin-themed songs that included the smash hit “El Tao-Tao” by Grupo Control. The video resonated with our local community and throughout Central California, receiving over 1 million views. My rendition of “El Rey” by Mexican legend Jose Alfredo Jimenez, at the end of the video, largely went unnoticed.

Back to the Vineyards -

The Delano PD Community Relations Unit consists of a sergeant and a community service officer. What they lacked in numbers, they made up for in hard work and creativity. After numerous “Coffee with a Cop” events, it was time to branch out in a way that connected with those that most needed to hear the message.

Sergeant Jose Madrigal and Community Service Officer Rafael Silva worked with local farm labor advocacy groups to identify a local farmer that would accommodate our request to take “Coffee with a Cop” to the same vineyards that Chavez and Itliong had worked half a century before. The name for this event was simple but accurate: “Café con Campesinos”.

After weeks of planning, a caravan of Delano police cars received approval to drive dusty roads weaving through rows and rows of grape vines. With sirens blaring and lights flashing, the long line of police cars made their way to the destination where over a hundred “campesinos” waited. Many of them were visibly anxious, yet curious to see what awaited.

“We are Them” -

Ten Delano Police officers got out of their vehicles and approached the group. One by one, each officer stood before the group and told a story of being the son or daughter of a farm laborer. In Spanish, we described our upbringing, our experiences and how this was now part of us and drove the servant spirit within. In essence, each of us was thanking those that came before us for the hard work and sacrifice and how we were a direct reflection of them.

After the stories were shared, officers served coffee and donuts to the group. Within a few minutes, the farm laborers seemed to relax and interact in a more calm, even comfortable manner. I knew we had broken through when some of the farmworkers asked for photos with the officers. I couldn’t help but get emotional knowing that through efforts like this, we were on the road to showing that police can be trusted. Beyond that, our testimonies showed that we were not just “like” them, we “are” them.

In turn, the healing was beginning and the trust, that had long ago been fractured, was on its way to becoming restored with the local Delano migrant community. ■



**The first “Campesino” event took place in April, 2019. The Covid Pandemic required a socially distanced version that took place in June, 2020.*



CRUISING WITH THE COPS

How the Oxnard Police Department and the Car Club Community Came Together After 50 Years

By: Eric S. Sonstegard

Assistant Police Chief, Oxnard Police Department

The City of Oxnard is 118 years old with lots of rich cultural traditions. With a population of over 200,000 residents, those traditions range from beautiful beaches to world-famous agricultural fields to numerous festivals. Such as the Salsa Festival, Tamale Festival, and the California Strawberry Festival. While many of these have enjoyed a positive connection to Oxnard, there is one tradition that has had a rockier history.

Cruisers. Lowriders. Car Clubs. However, they are referred to have had a strained relationship with law enforcement over the last 50+ years. In Oxnard, where the population is over 75% of Latinx heritage, these car owners have always sought opportunities to gather and show off their cars that they have invested so much time, energy, and money into. In the 70's and 80's, it was commonplace for thousands of car owners from all over Southern California to descend on Saviers Road in South Oxnard to cruise up and down the nearly 2-mile strip of road that dissected the city. As the crowds grew larger, the inevitable problems arose that attracted police attention. With a generational issue of criminal street gangs in Oxnard, the "Cruiser" community and the street gangs periodically overlapped which led to complaints from residents and elected officials.





While a city ordinance prohibiting cruising had been on the books since 1964:

“No person shall engage in the activity of cruising or be a passenger in a cruising motor vehicle on a public street, alley, or highway of the city in any area which has been posted as a no-cruising zone.”

It wasn't until 1992 that the Oxnard City Council, in a contentious 3-1 vote, approved a new city ordinance that put an end to cruising on Saviers Road by deeming the area a “no-cruising zone.” Council members had said at the time that the weekly ritual had become “too violent and too costly.”

While the Lowrider and Car Club communities never left Oxnard, their visibility waned after their elected officials had ostensibly

deemed them a nuisance within the city. Their relationship with the Oxnard Police Department remained contentious. Manuel Herrera, a local car club and cruising enthusiast, said the police often harassed those with lowriders, whether it was for illegal hydraulics or driving cars that were too low.

Fast forward to 2017 and as then Oxnard Police Chief Scott Whitney looked to ramp up the Department's community engagement efforts, he looked to a group that he himself had often written tickets to in the early 90's, the car club community. Chief Whitney had an idea to connect with the car clubs and lowrider enthusiasts to bridge the gap in a relationship that had been fractured for 50+ years. Connecting with Herrera and fellow lowrider enthusiast Eddie Cabral, Chief Whitney had an idea for the 1st Annual Oxnard Police Department Car Show.





On August 27, 2017, the Oxnard Police Department held their first car show to the delight of car club enthusiasts around Ventura County. Held directly in front of the Oxnard Police station, it spanned 2 full blocks of custom cars and brought together residents, children, car owners, and police officers. It soon became an annual staple in the Department's community engagement efforts. We intentionally held many of our signature events right outside our police station so our residents, and particularly their children, would feel comfortable and welcome at the station.

The success of the car shows led to additional community events. Herrera and Cabral came up with the idea of having "Oxnard Cruise Night" in the historic downtown Oxnard area which brought together pre-1975 cars and trucks with music, food, and family fun. These cruise nights were held monthly throughout the summer months in 2018 and 2019. Many Oxnard police officers attended the events off-duty to bring their families to share in the fun.

Building on the success of the collaborations with the Oxnard Police Department, Herrera and Cabral founded a new group called the *Oxnard Cruise Alliance*. Which brought together over a dozen local car clubs in an organized fashion to bring positive light to the lowrider community. With the COVID-19 pandemic impacting everyone in 2020, it didn't slow down the efforts of the Oxnard Police Department and the Oxnard Cruise Alliance. In June of 2020, a Father's Day Cruise was held on Saviers Road which attracted thousands of car club enthusiasts. Although the social gathering protocol made it difficult for people to congregate and enjoy the cars, it was still a successful event and another Father's Day Cruise is planned for this year.

Perhaps no better illustration of "Turning the Page" took place than when Police Chief Scott Whitney retired in December of 2020. In an example of something that would have never taken place in the 80's or 90's, the Oxnard Cruise Alliance surprised Chief Whitney on his last day at work with a drive-by cruise party. Dozens of lowriders made their way by the Oxnard Police station to honk and wave to Chief Whitney. Several of the drivers stopped and presented Chief Whitney with a farewell plaque from the alliance.

"There's no need to have these false divisions with these different groups in the community," Whitney said. "If it's not safe, the knee-jerk reaction from the government is to shut it down, sometimes over-react. But you guys made sure it's safe."

-Former Oxnard Police Chief Scott Whitney said at his retirement cruise

With new Oxnard Police Chief Jason Benites now at the helm, the burgeoning relationship between the police and lowriders continues to get stronger. Chief Benites recently attended an Oxnard Cruise Alliance meeting to talk about upcoming events and the expectations of the Police Department. A group of lowrider owners recently formed the "Covid Cruise Family" and spend almost every weekend doing mini cruises past birthday parties and special events. We are looking forward to the reopening of California so that summer cruise nights can be a much-needed glimmer of light for the Oxnard community. ■





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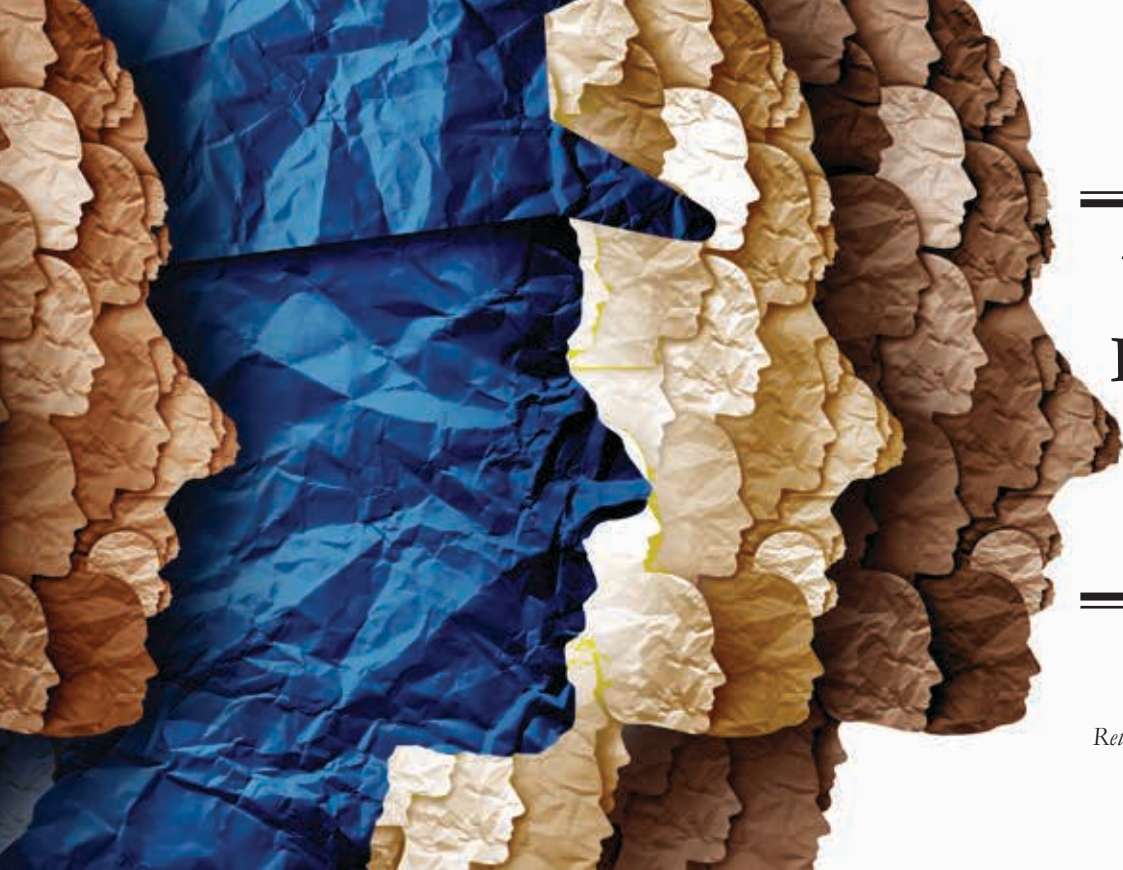


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PLANNING FOR SHORT TERM SUCCESS

By: Pete Dunbar

Retired Chief, Pleasant Hill Police Department

The past year has been one of the most challenging ever for law enforcement. While broad brush judgements about all of law enforcement following the criminal behavior of a few have been made, the impact on everyone is real. Future political mandates could make it more challenging for police executives to maintain a high level of service and recruit and retain staff. Further complicating this is the rise in violent crime, the recovery from the pandemic and budgetary reductions. Your role as a police executive has never been more important to maintain and improve the quality of life in your community as well as the performance, organizational health, and well-being of your staff.

We are in the business of customer service, and that means different things to different departments. Prioritizing the top issues and focusing on achieving goals can provide a clear direction and statement about serving the public and leading those in your agency. At the same time, it is crucial to place some level of succession planning high on the list of priorities.

In strategic planning, the time frame for goal achievement is normally three years with some needing a five-year window for larger projects. The process to put those plans together can take several months to complete. You may not have the time to develop such a plan. Urgency dictates a different course of action.

Succession planning, which includes staff development, recruiting and retention, also takes time to develop and implement. Yet,

retirements, promotions and transfers are continuing at your department. Being able to engage in activities of a new position prior to going to it will provide your staff with a better opportunity of success.

How can the chief and executive staff get something together right away?

One year action plans can be done quickly within your agency. These short-term plans can be developed for the department as well as divisions, units watches and squads within the department.

The process is a microcosm of doing a strategic plan. A good starting point could be to do a quick assessment of the part of the organization where the action planning

is taking place. Involving members of that entity in a brainstorming of a short SWOT analysis will provide perspectives that may be helpful in moving forward. Asking members to list strengths and weaknesses can be accomplished with a squad or other group in less than 20 minutes. There really isn't a need to look at the external opportunities and challenges (the OT of SWOT). These lists do not require discussion or evaluation. They are the perspectives of those working in that group but may be considered if they are an obstacle to goal achievement.

While an assessment is not critical to doing action plans, it can get your group more aware of the perspectives of others. Otherwise, starting with issue identification would be a place to start. Either way, the more collaborative you can be by involving others, the more of a buy-in will be made towards plan success.



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Determining what issues and their priority is a simple process. Using a small group that represents the larger group or the entire group is your choice. Ask for the group to list the issues to be worked on now and during the year ahead. Again, this is brainstorming so just listing without discussion is the most efficient and effective way to complete this segment. It is unlikely that the list will be a surprise, but it is a list that everybody has built. Combine any similar issues into one if possible.

Patrol teams may want to focus on a crime or quality of life issue. Detectives may need to focus on certain crimes that have spiked to mitigate and identify those responsible. Other segments of the department can look at recruiting, external messaging, or other important programs.

Prioritizing the issues is the most critical part of this process. Ask each group member to identify their top three issues. In strategic planning, it is common to identify the 5-7 top priorities to work on over three years. But in action planning, no more than three issues should be chosen. They can simply place a "3" next to their top issue, "2" to their second and a "1" to their most important issue. Or they can submit them on paper or email. The top three are determined by adding up all of the votes.

This is where the opportunity to add a part of succession planning comes in. Have three people in the group each take (or be assigned) one of the issues. Have them transform the issue into a goal that can be accomplished with the next 12 months. Ideally, they will use the Specific, Measurable, Attainable, Realistic and Time-based (SMART) tool for writing the goal. You may wish to see what they do on their own and coach them as they work on this.

Now each of your writers can become the person accountable for achieving that goal. Have them identify strategies that they will use to achieve the goals or use the original group to suggest a list of strategies. It should be, however, the person accountable for the goal that selects and implements these strategies.

Regular review, at least monthly, should take place to determine goal progress.

Staff development is not just confined to action planning. Getting staff involved in doing the activities of a higher rank or different assignment has many benefits. It broadens their abilities and perspectives; it better prepares staff for transfer or promotion; and it improves the performance and reputation of the department by having people performing at a higher level. To get a more thorough understanding of this, CPCA has a Leadership Development Series in the library. All four sessions can greatly assist you in further developing leadership in your department. You can contact Brittany MacKenzie, Training Manager, at bmackenzie@californiapolicechiefs.org for more information on getting access to those programs.

Action planning is great to accomplish small wins and build esprit de corps. It can lead to a larger strategic plan or a series of action plans. Either way, performance is improved which can translate into improved community relations as well. ■



“Meeting” THE NEEDS OF OUR MEMBERS

By: Meghan Kalmbacher, CMP
Events Manager, California Police Chiefs Association

When the pandemic hit in early 2020, everyone in the events industry had to pivot completely and find new ways to provide valuable training through virtual formats. To say it was a challenge is an understatement but the team at Cal Chiefs prevailed and were able to provide not one, but two Annual Training Symposiums, our Women Leaders in Law Enforcement event, multiple on-line trainings and even some free critical content for our members! All these events were complete successes and we as a staff learned so many new skills that we will use to continue to provide training in many different formats. However, one thing we can all agree on is Zoom fatigue is definitely a thing...

We don't know about you, but we're ready to get back to doing what we all love. Meeting IN-PERSON! Let me be the first to welcome you back to Cal Chief's in-person events for 2021-2022. Here's what we have planned for you!

Our Women Leaders in Law Enforcement (WLLE) conference will be held on September 28-30, 2021, in Anaheim at the Anaheim Hilton (YES! Next door the happiest place on Earth, Disneyland!). Thank you so much to the Anaheim Police Department for being our hosts for this event. The event will consist of 16 workshops and five keynotes, virtual morning workouts, fun evening outings and for the first time, a full tradeshow! We look forward to seeing everyone in beautiful Anaheim!

Our Annual Training Symposium will be held on February 7-10, 2022, in Sacramento at the Hyatt Regency Hotel and the tradeshow will be held next door at the brand-new Safe Credit Union Convention Center. We invite Chiefs and Seconds from across California to come together for training on leadership, tech issues, critical incidents, mental health, legal issues, and many other topics. We will also be holding the conference in conjunction with the Tech Summit this year to help departments save on travel and hotel costs. Thank you, Sacramento Police Department, for being our hosts! We know everyone will be excited to see each other in-person so we will be sure to provide many networking opportunities and fun activities throughout the week.

As mentioned before, in addition to our in-person events we will continue to provide virtual trainings throughout the year. Upcoming topics will include Workers Comp Issues, Trauma/PTSD/Brain Injuries, Mentoring, and Leadership. More information and upcoming dates coming soon!

We look forward to seeing each of you in 2021. ■

CPCA

Training Update

By: Brittany MacKenzie

Training Manager, California Police Chiefs Association

After a challenging training year that was met with postponements, cancellations, and new safety protocols that required patience, understanding and flexibility among instructors, CPCA staff and attendees we are excited to welcome a new training year. We are hopeful that the upcoming training year will provide training opportunities to those who were not able to attend this last year due to unforeseen circumstances and provide the opportunity for law enforcement leaders to reunite in an educational and supportive environment.

CPCA will be offering multiple sessions of each training course throughout the state to provide maximum opportunity for our members and nonmembers to attend. And after a year hiatus, CPCA will be holding the Media Summit and Technology Summit

— our one-day events that present the most current and relevant information from subject matter experts. Be sure to visit our website for course and registration information for all training. We anticipate that the courses will fill up quickly due to the minimal amount of training offered last year, so be sure to register if you are interested in attending!

In addition to our distinguished in-person training, we will continue to offer online training that consists of brief presentations on timely and important topics that you can access from the comfort of your own office chair, or couch if you're lucky. We are excited to welcome you to attend all training courses as it is one of the many ways, we take pride in serving as a resource for our law enforcement leaders. ■



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DEVELOPING THE FUTURE:

Investing in Wellness and Professional Growth for Law Enforcement



By: Saul Jaeger

Captain, Mountain View Police Department

Our people are our greatest asset.

Yet, after we spend countless hours and dollars conducting backgrounds, psychological and medical examinations, academy training and FTO, resulting in having employees at the top of their game physically and mentally, we historically spend the rest of their career crushing them by providing little to no career development, denying non-traditional training, and surrounding them with an industrial age attitude to, “suck it up.”

And for leaders in law enforcement, succession planning is one of the many things that keep us up at night.

Even if we are lucky enough to not be in this boat now, it is something we need to watch closely. Adding to the angst, we are also facing unprecedented recruiting and retention challenges. Finding good (and qualified) people to do this job, while maintaining purpose and drive for them as they progress in their career, has been difficult. The national narrative, mistrust, and frustrations, exacerbate the issues exponentially.

“You are only as good as the people around you.” - John Maxwell.

To work through these issues, the Mountain View Police Department has developed a new Professional Development and Wellness Unit (PD&W). The goal of PD&W is to develop professional and sworn staff throughout their careers by providing individualized career mapping and coaching as well as the management of several focused programs.

Career mapping and coaching consists of annual conversations and check-ins focused on employee interests and organizational needs, as well as the development of actionable steps to take throughout the employee’s next evaluation period. This is in addition to, and separate of, annual evaluations and more regular coaching by direct supervisors. A newer employee will be better guided to appropriate classes, with organizational needs and employee interests combined. A mid-career employee may need to rediscover interests, begin prepping for promotions, etc. Years before retirement, our “twilight employees” can be encouraged to start planning for next steps and begin to work to meet those goals so they will be successful in their next chapter.

PD&W staff will also manage several additional programs to further grow and enhance employees. This will maintain a focus

on succession planning for the organization. Each program will be peer led and use the strengths and/or interests of our own staff. These programs include:

- **Recruiting Team** - streamlining efforts, ideating new ways of attracting candidates and auditing and reporting results.
- **Mentoring Program** - focusing on academy recruit partnering and success and new employee coaching and guidance.
- **Peer Counseling Unit** - CISD response, personal crisis connection and mitigation and referrals.
- **Physical Wellness and Nutrition** - individualized program development, equipment purchase recommendations, scheduling guests and speakers, etc.
- **Mental Wellness and Resiliency** - wellness application management and development, training and speaker coordination, check ins and referrals.
- **Financial Wellness** - training, coordinating speakers and specialists, consistent reminder to start planning early.
- **Enrichment Activities** - broadening perspectives through experiential days, cultural, religious, food, art, travel, etc., scheduling time for staff at a variety of community organizations, houses of worship, events, and other departments within the city.
- **Spiritual** - Coordinate and manage the Chaplain program, guidance, etc.

Success can be measured as the department transitions into a coaching and learning culture, valuing both traditional and non-traditional training opportunities, experiences, and enrichment activities. Success means employees taking more control of their own career development, wellness and future. It is a cultural shift from, “what is the department going to do for me?” to, “what can I contribute to my own success?”

It is now more critical than ever to take care of our people. As unclear as the future may seem, without great people, great organizations will falter. Conversely, organizations focused on providing a wide depth and breadth of resources and opportunities will find a more resilient workforce, able to weather storms and grow regardless of the crises that may come. ■



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CORPORATE PARTNER DIRECTORY

Cal Chiefs Highlights Partners Working to Support Law Enforcement

California Police Chiefs Association members value the close relationship we have with our strategic, preferred and circle partners. The CPCA provides this quarterly update to highlight advancements and programs which help California law enforcement agencies do their jobs more efficiently and effectively.

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



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Agency/Partner Success Showcase

Public-private partnerships play a key role in law enforcement. If you have a success story to share with your colleagues involving a collaboration with one of the CPCA strategic, preferred or circle partners, let us know.

Contact partners@californiapolicechiefs.org to provide details and CPCA staff will work to share your success.



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