



# CALIFORNIA POLICE CHIEF

*Serving as the voice of and resource of choice for California's municipal Police Chiefs*

FALL 2014

## *Anaheim's New Rules of Engagement*

*Raul Quezada takes Unique  
Approach to Relationship  
Building following 2012 Unrest*

### ALSO INSIDE

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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*, submissions can be sent to Sara Dwyer at [sdwyer@californiapolicechiefs.org](mailto:sdwyer@californiapolicechiefs.org).

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#### ON THE COVER

*Chief Raul Quezada,  
Anaheim Police Department*



Dear CPCA Members:

Welcome to the Fall 2014 edition of our magazine, *California Police Chief*. This is the third edition of our rebranded, reengineered magazine designed to keep you up-to-date on relevant, innovative programs as well as association activities. Our magazine highlights some great successes our members have had with new programs which can serve to inspire other agencies.

Cal Chiefs just wrapped-up a challenging legislative year having sponsored four major bills. Fortunately, we have a strong Legislative Team including an involved Legislative Committee well-engaged at the Capitol. Highlights of our recent efforts are detailed in our "Cal Chiefs at the Capitol" column. Also featured in this edition are articles by our Strategic Partners, and a listing of our partners and Corporate Circle Members.

We hope you enjoy this third issue of our newly revised magazine and encourage you to follow Cal Chiefs on Facebook and Twitter; your feedback is always welcome.

Thank you for the critical role you play in making Cal Chiefs the voice of and resource of choice for California's municipal police chiefs.

Sincerely,

A handwritten signature in blue ink that reads "C. W. Boyd".

Christopher Boyd, President  
*California Police Chiefs Association*

# Membership Update

By Craig Steckler, Chair, Membership Liason

*Serving as the voice of and resource of choice for California's municipal Police Chiefs,*

is not only our association's mission statement, it is something that the staff and volunteers live up to. Cal Chiefs continues to grow and offer expanded services and information to remain the resource of choice for our members. We have launched a new robust website, increased our legislative presence and have developed new training relevant for chiefs and seconds in command.

The 2014-15 membership dues payments are still coming in and we want to thank you for your continued support of our association.

Since my last membership update we have had the pleasure of welcoming nine new chiefs. The names and agencies of the new chiefs are listed below. Please help me in welcoming them all. ■

## CONGRATULATIONS NEW CHIEFS!

5/14/2014 Sean Whent,  
Oakland Police  
Department

6/2/2014 Jeff Kepley,  
Palos Verdes Estates  
Police Department

7/1/2014 Kent Kroeger,  
Tehachapi Police  
Department

7/14/2014 Mike Borges,  
Escalon Police  
Department

8/1/2014 Matt Frisby,  
Los Gatos/  
Monte Sereno Police  
Department

8/1/2014 Jake Miller,  
Pismo Beach  
Police Department

8/4/2014 Max Bosel,  
Mountain View  
Police Department

8/11/2014 Scott Bixby,  
Culver City Police  
Department

8/25/2014 Neil Gang,  
Pinole Police  
Department

9/15/2014 Pat Walsh,  
Lompoc Police  
Department

9/23/2014 Alex Diaz,  
Banning Police  
Department

# PRIVACY ISSUES ARE VERY COMPLEX

By Martin J. Mayer, General Counsel  
California Police Chiefs Association

Over the past few months, the United States Supreme Court, the California Supreme Court, and the California Court of Appeals have each issued significant decisions affecting privacy rights of peace officers, as well as members of the public.

One case deals with privacy rights of officers involved in shootings which result in serious injury and/or death; the second case deals with the public's right to privacy in the information contained in new, very complex, "smart" phones; and, finally, the most recent case addresses who can access personnel files of peace officers which have been deemed, by the State of California, to be private.

## Officer Involved Shootings

On May 29, 2014, the California Supreme Court on a 6-1 vote, in the case of *Long Beach Police Officers' Association v. City of Long Beach*, held that the public interest in disclosure of the names of officers in an officer involved shooting (OIS) will, as a general rule, outweigh the privacy interest officers may have in having their names withheld. The Court began by observing that "access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state."

Generally, it is the responsibility of the public entity to demonstrate that any record it seeks to withhold from the public falls within a specific exemption, otherwise

it shall be made public. At the same time, however, the Court noted that California Penal Code §832.8(f) applies confidentiality to any information in a peace officer personnel file where disclosure "would constitute an unwarranted invasion of [a peace officer's] personal privacy."

In a case such as this one, which concerns officer-involved shootings, the Court found the public's interest in the conduct of its peace officers is particularly great because such shootings often lead to severe injury or death. The Court also noted that the balancing of interests (the public's right to know versus the officer's right of privacy) will generally weigh in favor of disclosure, and that "[v]ague safety concerns that apply to all officers involved in shootings are insufficient to tip the balance against disclosure." A mere possibility of endangerment does not clearly outweigh the public interest in access to such records.

As such, the Court held that the names of officers involved in a shooting will generally be subject to disclosure upon request, unless a particularized, and case specific, showing can be made that

non-disclosure is necessary to protect the officer's safety and outweighs the public interest in disclosure.

## Right of Privacy to Information on Smart Phones

On June 25, 2014, the United States Supreme Court, in the case of *Riley v. California* and *United States v. Wurie*, ruled unanimously (9-0) that "police generally may not, without a warrant, search digital information on a cell phone seized from an individual who has been arrested."

In 1969, the Court, in *Chimel v. California*, 395 U.S. 752, established the groundwork for most of the existing law involving searches incident to an arrest. "When an arrest is made, it is reasonable for the arresting officer to search the person arrested in order to remove any weapons that the latter might seek to use in order to resist arrest or effect his escape. In addition, it is entirely reasonable for the arresting officer to search for and seize any evidence on the arrestee's person in order to prevent its concealment or destruction. . . ."

The Court discussed exceptions to the warrant requirement and stated, "these



cases require us to decide how the search incident to arrest doctrine applies to modern cell phones, which are now such a pervasive and insistent part of daily life that the proverbial visitor from Mars might conclude they were an important feature of human anatomy. A smart phone of the sort taken from Riley was unheard of ten years ago; a significant majority of American adults now own such phones.”

The Court discusses, in detail, the capabilities of modern cell phones regarding storage of private information and the invasion of privacy which access to the phone creates. “Indeed, a cell phone search would typically expose to the government far more than the most exhaustive search of a house: A phone not only contains in digital form many sensitive records previously found in the home; it also contains a broad array of private information never found in a home in any form....”

The Court concludes that “our holding, of course, is not that the information on a cell phone is immune from search; it is instead that a warrant is generally required before such a search, even when a cell phone is seized incident to arrest.” The Court also recognizes that exigent circumstances might exist which will allow a warrantless search of the phone such as the “need to prevent the imminent destruction of evidence in individual cases, to pursue a fleeing suspect, and to assist persons who are seriously injured or are threatened with imminent injury.”

### **Prosecutors’ Right to Access Confidential Personnel Files**

On August 11, 2014, the California First District Court of Appeal held in *The People v. The Superior Court of San Francisco (Johnson)*, that “(i)n fulfilling its federal constitutional duty to disclose exculpatory evidence to a criminal defendant under *Brady v. Maryland* (1963) 373 U.S. 83, . . . the prosecution [is] entitled to direct access to peace officer personnel files.”

The Court of Appeal stated that “(t)his case is the latest in a body of case law considering the ‘interplay’ between the United States Supreme Court’s 1963 decision in *Brady v. Maryland* . . . and [California’s] statutory discovery procedures . . .

‘In *Brady*, the high court announced a rule, founded on the due process guarantee of the federal Constitution, that requires the prosecution to disclose evidence that is favorable and ‘material’ to the defense.’

Penal Code section 832.7(a) provides: “Peace officer or custodial officer personnel records and records maintained by any state or local agency pursuant to Section 832.5, or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code. **This section shall not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney’s office, or the Attorney General’s office.**” (Emphasis added.)

“At various places in our opinion we refer to the initial review and identification of *Brady* materials by the prosecution as the ‘first stage’ of the *Brady* disclosure process. We further conclude that, prior to disclosing the identified *Brady* material to the defendant, the prosecution must

file a motion for such disclosure under [Evid Code] Section 1043. We refer to this request for disclosure as the ‘second stage’ of the *Brady* disclosure process. This resolution is consistent with the statutory language, the Legislature’s intent for a judicial role in disclosure to protect officer privacy, and the prosecution’s federal constitutional obligations under *Brady*.”

“(W)e disagree that Section 832.7(a) eliminates prosecutorial access; although the statute specifies procedures for the second stage *disclosure of Brady* materials in criminal proceedings, it does not prohibit the prosecutor, as the head of the prosecution team, from performing the constitutionally mandated role of identifying *Brady* materials in the personnel files.”

### **Conclusion**

These are three very distinct cases, issued within a three month period of time, each involving different rights of privacy – each decided differently and based on different criteria.

The right of privacy of citizens of California is written into the California Constitution; Article I, Section 1 states: “All people are by nature free and in-



dependent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.” (Emphasis added.)

The right of privacy involving peace officers, in the cases discussed in this article, however, was created through laws passed by the California State Legislature.

As is detailed in the cases, there are, at times, conflicts between various rights of privacy and society’s needs. In the *Long Beach* case, the California Supreme Court concluded that the public’s right to know about actions taken by our law enforcement officers, and who those officers are, outweighed any issue of “privacy” the officers might have had based on statutory law. It required detail analysis of those

laws to come to that conclusion.

In the *Riley/Wurie* cases, the United States Supreme Court found that the public’s constitutional right of privacy “trumped” the belief by law enforcement that it was necessary to immediately access information on smart phones of persons under arrest. In that case, however, the Court found that the needs of law enforcement could be fulfilled by first securing a court issued warrant to search those phones. In addition, if exigent circumstances were present, those circumstances “trumped” the arrestee’s right of privacy. It appears to be an interesting balancing of rights and needs.

Finally, in the *Johnson* case, the California Court of Appeal was presented with a conflict between different statutory laws involving a peace officer’s right of privacy

in his or her personnel information and a prosecutor’s constitutional duty to seek out and disclose information which could assist a criminal defendant. Based on current California law, the Court, again, appeared to find a balancing of rights – the prosecutor could access the files to identify material, if any, which needed to be disclosed but the prosecutor cannot disclose such information without following the statutory process set forth in the California Evidence Code (sec. 1043). ■

*Martin J. Mayer is a name partner with the public sector law firm of Jones & Mayer and has served as General Counsel to the California Police Chiefs Association for approximately 30 years.*

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# Cal Chiefs at the Capitol

By Chief David Swing,  
Chair of the Law and  
Legislation Committee



While 2014 may be remembered by many as the year that Cal Chiefs sponsored a medical marijuana regulatory bill, our actions at the Capitol expanded far beyond the realm of medical marijuana. Our legislative team was involved in legislation ranging from unmanned aircraft systems and license plate reader technology to legislation entitled "Revenge Porn 2.0." Needless to say, breaks were few and far between.

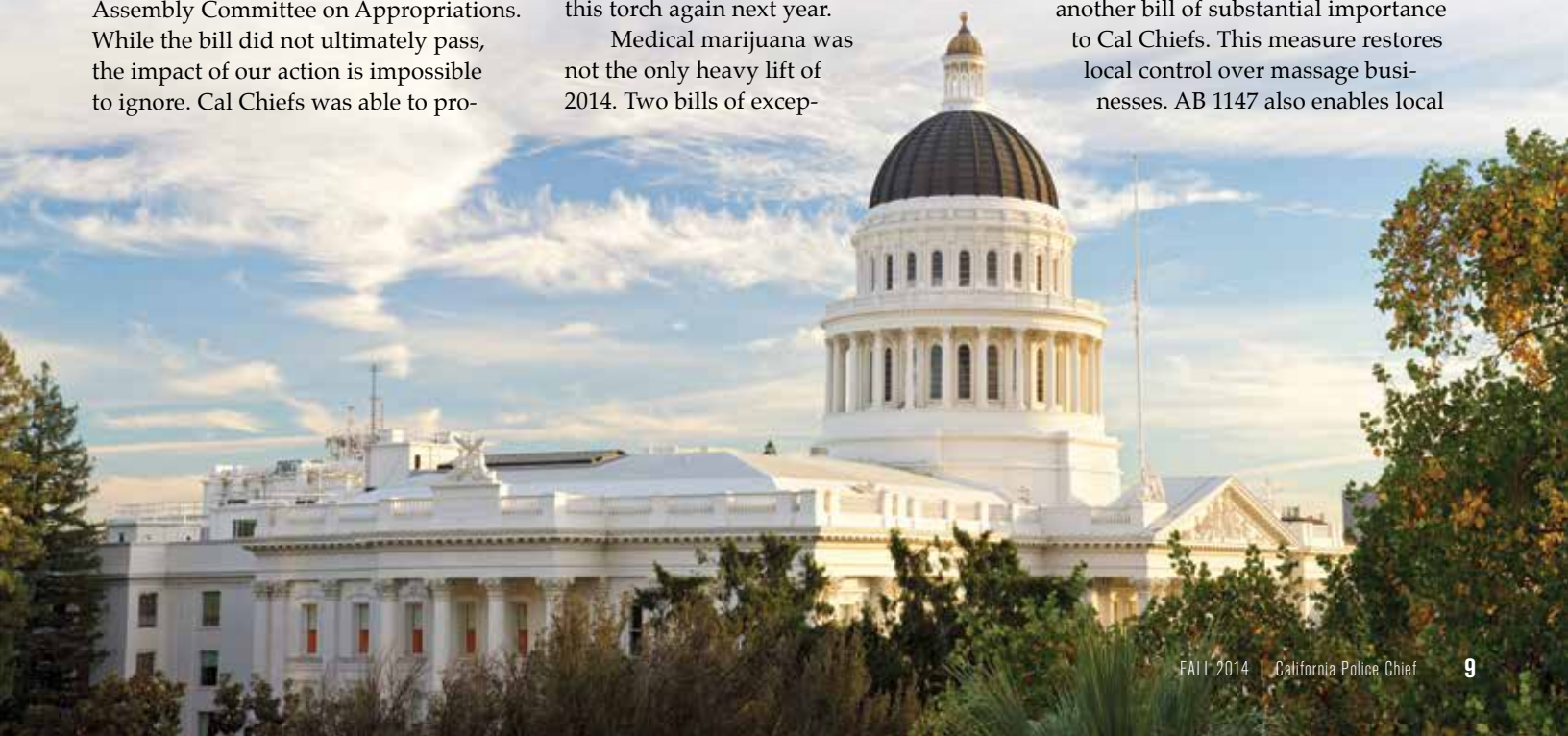
Cal Chiefs was the first law enforcement organization in California to address medical marijuana regulation in a proactive manner. SB 1262, authored by Senator Lou Correa, passed off the Senate floor unopposed after passing through two policy committees and the Senate fiscal committee. Similarly, the bill passed through two policy committees in the Assembly before being held by the Assembly Committee on Appropriations. While the bill did not ultimately pass, the impact of our action is impossible to ignore. Cal Chiefs was able to pro-

vide the legislature with a responsible medical marijuana regulatory model that works for law enforcement, cities, and legitimate patients. In doing so, we were able to demonstrate that medical marijuana regulation is not synonymous with legalization. This bill was one of our heaviest legislative lifts in recent history. The relative success of our effort is a direct result of the active participation of the Cal Chiefs Law and Legislation Committee, the Cal Chiefs Executive Board and all of the chiefs who provided feedback throughout the process. I would be remiss to mention the impact this measure had at the Capitol without mentioning the excellent work done by our Government Relations Manager, John Lovell, and Legislative Analyst who both worked tirelessly on this important piece of legislation. We intend to carry this torch again next year.

Medical marijuana was not the only heavy lift of 2014. Two bills of excep-

tional importance to Cal Chiefs now sit on the Governor's desk. AB 1439, sponsored by Cal Chiefs, will shut down the gambling operations that have been conducted in internet cafes throughout California. This bill, authored by Assemblymembers Rudy Salas, Rob Bonta and Jim Frazier closes loopholes in current law that enable these operators to evade the present statutory prohibitions against gambling operations. This legislation is a direct response to the input we received from chiefs last fall. When asked, chiefs from up and down California reported that internet café gambling was a substantial issue in need of a legislative fix. We now await the Governor's signature on this measure.

AB 1147, sponsored by the League of California Cities and authored by Assemblymember Susan Bonilla, was another bill of substantial importance to Cal Chiefs. This measure restores local control over massage businesses. AB 1147 also enables local



governments to enforce local ordinances in connection with those businesses. This important measure gives local governments the tools necessary to shut down the bad actors that have been moving into communities all over California. I find it hard to believe that AB 1147 would have made it to the Governor's desk without the technical input, anecdotal and graphic evidence, and active participation from both our legislative committee members and impacted chiefs.

This year was not without its challenges, many of which were quickly put to rest as a result of timely calls, emails and letters from our members. Through grassroots advocacy, we were able to defeat bad medical marijuana legislation, prohibition on social media disclosure, sentencing reform, the expansion of pre-trial release, and limitations on the use of

license plate recognition systems.

Despite our best efforts, a handful of strongly contested bills currently sit on the Governor's desk awaiting signature. Senate Bill 388, by Senator Ted Lieu, will make a significant change in the current balance that exists in the Peace Officer Bill of Rights. Assembly Bill 1327, by Assemblymember Jeff Gorell, would require a law enforcement agency to obtain a search warrant to operate an unmanned aircraft system (UAS). Lastly, assembly Bill 885, by Assemblymember Tom Amiano, would create an unnecessary jury instruction where if the court determines that a prosecuting attorney violated discovery rules the court is directed to give the jury an instruction that the jury shall consider the failure to disclose in determining whether reasonable doubt of the defendant's guilt exists. This special

instruction is not needed as a remedy for this omission, whether inadvertent or not, already exists. Calling out the failure to disclose and associating it with unreasonable doubt will likely lead to increased not guilty verdicts. With these three opposed bills on the forefront of our minds, the Cal Chiefs Executive Board met with Governor Brown on September 9th to request that he veto these measures.

Next year will undoubtedly present Cal Chiefs with new legislative challenges. I am confident, however, that the powerful influence of chiefs can once again ensure that meaningful bills are signed into law while many bad bills are prevented from reaching the Governor's desk. Please take time to meet with your local legislator during the legislative off-season, your voice makes all the difference. ■

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# ANAHEIM'S **NEW** RULES OF ENGAGEMENT

RAUL QUEZADA TAKES UNIQUE APPROACH TO RELATIONSHIP BUILDING FOLLOWING 2012 UNREST

By Greg Hardesty

**R**aul Quezada peels a small bandage off his right arm. The Anaheim police chief didn't hurt himself. Rather, on this morning in late August, he donated blood.

The removal of the Band-Aid is an apt metaphor for what Quezada has been doing since being named top cop of Orange County's largest city on Dec. 17, 2013: tearing away barriers between his department and the community.

Back-to-back officer-involved shootings in 2012 sparked unrest in working-class Latino neighborhoods that culminated in a downtown riot.

In repair mode, Quezada – who served as interim police chief for six months before becoming the first Latino police chief in Anaheim's history, as well as one of its youngest, at age 44 – has been taking steps to improve communication with the public and make his agency as transparent as possible.

These efforts resulted in a milestone on Sept. 8 when the Anaheim City Council agreed to purchase 250 video cameras for \$1.15 million to be worn by the city's 360 sworn police officers. A yearlong study of body-worn cameras by the Rialto Police Department showed that cameras result in a dramatic drop in use-of-force incidents and fewer complaints from the public.



"We recognize that (cameras) are the future of policing," Quezada says. "Our officers have been asking for them."

Anaheim, home to more than 336,000 residents and major tourist attractions including the Disneyland Resort, is the first city in Orange County to require its officers to capture their encounters with the public on camera, although a handful of other agencies are testing them.

For the last 1½ years, Anaheim PD officers have been using audio recorders.

"The community demands transparency," says Quezada, who took an unlikely path to becoming police chief of one of America's largest cities. Quezada is the son of immigrant parents from Mexico who toiled in the fields and a cannery in Northern California before settling in East Los Angeles to raise a family.

Quezada and his three older sisters grew up in the rough neighborhood of Rio Honda in Pico Rivera, a "gateway" city to Los Angeles that has long been home to Latino street gangs.

Quezada recalls working as an aide at a recreation center when he was 14. He frequently would run across heroin addicts shooting up in the public restroom.

"I would lock them inside the bathroom to keep kids from coming in," Quezada recalls.

While in the fifth and sixth grade, Quezada would look around his classroom at times and notice some empty seats.

"Some of the kids would just vanish," he says.

As police chief of Anaheim, Quezada is determined to reduce the risk of such disappearing acts by getting his officers and residents to work more closely together to make the city safer. Such a closer relationship is particularly important in a city where more than half of residents are Hispanic yet, according to an analysis by The Associated Press released in September, only 23 percent of its police officers are.

Quezada aims to make the Anaheim PD a nationwide leader in the "Problem Oriented Policing" approach to crime and public disorder by forging partnerships with residents and business owners who, in turn, promise to throw their support behind specific problem-solving efforts.

"The key is listening to the community to determine what their problems are instead of having us tell them what their problems are," says Quezada, who joined the Anaheim PD in 1996 after spending three years with the Los Angeles PD.

Examples of how the Anaheim PD, under Quezada's leadership, has been making strides in improving dialogue with the city's communities include:

- Supplementing his Chief's Advisory Board with a grassroots group of residents from each of the city's 22 neighborhoods. Called the Chief's Neighborhood Advisory Council, or CNAC, the first meeting was held in November 2013, with more than 20 members of the community participating. "We challenged them to come up with ideas to improve communication between our officers and their communities," Quezada says. "My message to them was, 'We are one city, and one police department.'"
- Launching a mobile version of the PACE (Public Awareness through Citizen Education) citizen police academy. "It was a huge success," says Quezada of bringing the program to Spanish-speaking neighborhoods. "A lot of the education was missing as to how and why we operate the way we do. What does the community want? It wants the police. Many residents just don't know what the police department is about. They think we just drive by in a black-and-white, handle emergency calls and then leave. To go out and spend five minutes explaining our role to them was huge."
- Continuing to expand programs aimed at young people. During the summer, more than 1,000 people packed an



*The key is listening to the community to determine what their problems are instead of having us tell them what their problems are.*







Anaheim Convention Center hall as 414 kids graduated from the police department's Jr. Cadet program, the only-of-its-kind program in California. The program builds relationships with 9-12 year olds by teaching lessons in respect and discipline and also – hopefully – inspires some to pursue careers in policing. The police department hopes to recruit more homegrown officers.

Quezada says he also sought input from members of the community regarding the promotion of a lieutenant, which is unusual for such a high-ranking position.

He also has taken steps to improve the way officer-involved shootings are handled.

For example, an Anaheim PD lieutenant now issues a report on any shooting incident within five days to get a quick snapshot of what happened, instead of waiting for the district attorney to complete an investigation, which can take several months. And after any officer-involved shooting, a high-ranking police official immediately reaches out to relatives of the suspect, Quezada says.

The city has also established a civilian public safety review board. Set to meet for the first time this fall, the Public Safety Review Board will review items such as fire and police budgets, staffing levels, service delivery mechanisms, police and fire policies and practices, and certain critical incidents.

Quezada says the recent officer-involved shooting in Ferguson, Mo. underscores the importance of police departments establishing close ties with members of the community before problems erupt.

After the civil unrest in 2012, the Anaheim PD made an effort to meet with disgruntled members of the community in an effort to prevent flare-ups around the anniversaries of the incidents.

Such outreach paid off, Quezada says, with organized protests in 2013 and 2014 going off smoothly.

"We let them have the street," the chief says of the most recent protest. "We met with the organizers, asked them the direction of

their route, had a captain give them his cell phone number, and told them we would have paramedics on standby in case there were any heat-related or other health issues with the protesters.

"The key is to communicate. You have to communicate," he says.

Efforts by Quezada and his command staff appear to be paying off. Out of 200,000 calls for service received by the police department last year, the PD received only 40 complaints from the public – fewer than the number of complaints made from inside the department.

"This shows we're doing a good job at self-policing," Quezada says.

They are also doing an innovative job in traditional policing. Several Orange County police agencies recently created a regional task force to deal with the growing problem of human trafficking. The program was inspired by Anaheim, which was the first to treat sex workers as victims.

The police department also recently formed a homeless outreach detail that is becoming a model.

Married with three children, Quezada briefly sold insurance before getting into law enforcement. His background in parks and recreation helped fuel his philosophy of community policing.

A graduate of the Sherman Block Leadership Institute and P.O.S.T Command College, Quezada currently is enrolled in the Master of Science in Criminal Justice Administration program at Columbia Southern University.

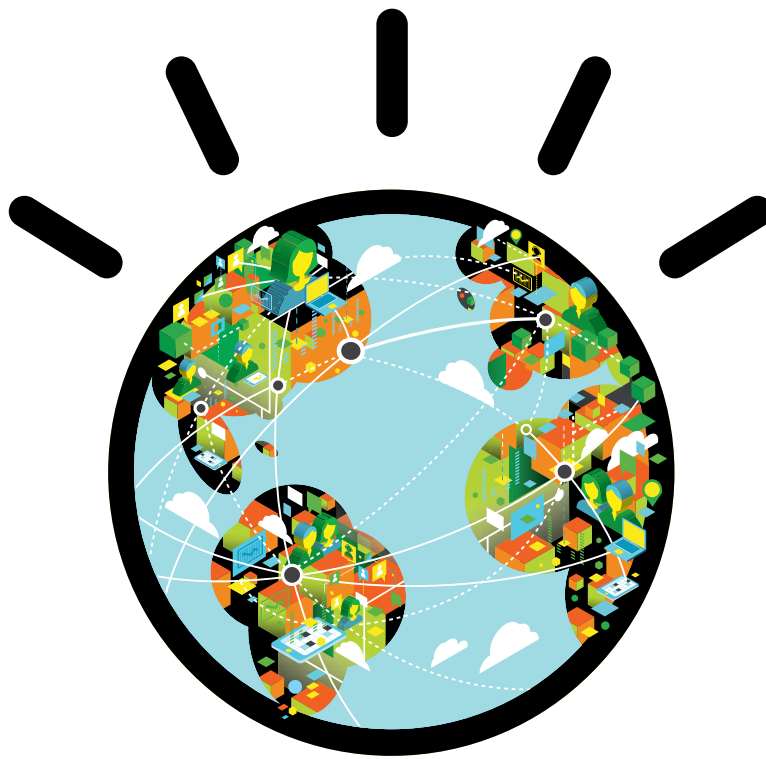
The police chief may be all about serving the local community, but he's still a die-hard Dodgers fan.

Among the baseball memorabilia in his office is a Dodgers jersey with Quezada's name in lettering on the back and a signed portrait of former Dodgers manager Tommy Lasorda.

"You and the Dodgers are great," Lasorda wrote.

Quezada is quick to add about Anaheim's home team: "So are the Angels." ■





# How to compete in the era of “smart.”



*Police in Memphis used Big Data and analytics to verify patterns of criminal activity, which helped them change their strategy.*

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*Social networks shift value in the workplace from knowledge that people possess to knowledge that they can communicate.*

LET'S BUILD A SMARTER PLANET.





## Cal Chiefs Launches Strategic Partner & Corporate Circle Programs

Cal Chiefs recently launched a Strategic Partner and Corporate Circle program as well as the Corporate Circle link website.

The Strategic Partner Program was designed to create partnerships with leading organizations whose objectives include the support of the profession and the broader law enforcement community.

Corporate Circle members are listed on our new 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. ■

Cal Chiefs welcomes the following Strategic Partners:



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# Chiefs Go Back to School to Keep Youth out of Trouble

For three days in September police chiefs Walt Tippet from Fairfield, Susan Manheimer from San Mateo and Kelly McMillin from Salinas attended class at Georgetown University, along with their fellow agency leaders from probation, health and education. The central question presented was how to steer youth at low risk of re-offending to services that lessen the risk of recidivism and school failure, while protecting public safety and saving tax dollars. Part of a larger project funded by the California Endowment to the Police Foundation, to raise awareness among chiefs about youth development, family engagement and diversion issues, the Police Foundation supported the police chiefs' participation in partnership with the California Endowment, The California Wellness Foundation, Sierra Health Foundation, the Rosenberg Foundation, and Silicon Valley Community Foundation.

The Georgetown University McCourt School of Public Policy created the Center for Juvenile Justice Reform (CJJR) to provide intensive training to public safety and other community leaders across the country. CJJR offers a variety of topical certificate programs including sessions on

Multi-Systems Integration, Youth in Custody, Reducing Racial and Ethnic Disparities and Information Sharing. Support for the Diversion Certificate program was provided in part by the James D. and Catherine T. MacArthur Foundation and conducted in partnership with the Juvenile Law Center and National League of Cities.

The Director of CJJR, Georgetown Professor Shay Bilchik, formerly served as Director of the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). Recognizing the need to offer training on best practices in juvenile justice, Shay's team of national trainers -- executives from law enforcement and youth service agencies -- have trained representatives from every state in the country, the District of Columbia, and several countries. "We are contributing to building a field of leaders who do their work in an evidence based and data driven manner," says Bilchik. "In doing so, we are ensuring that the work we do across systems and disciplines has the best chance to improve individual outcomes for system involved youth, while protecting public safety."

The Juvenile Diversion training cov-

ered challenging issues such as breaking down some of the barriers to efficiently addressing youth and family issues, such as sharing sensitive information across agencies. In addition, the training helps identify risk and needs assessments that work best to gauge which youth to divert from arrest or custody and to refer to treatment services. A big draw for participants is the opportunity to receive technical assistance from Georgetown experts during a one-year period of developing and implementing a community-specific "Capstone Project" aimed at producing measurable impacts for young people.

Chief Susan Manheimer notes the city of San Mateo will focus on junior high school students; "We've got the best chance to divert our youth out of the Juvenile Justice System if we can catch them early on." Chief Manheimer goes on to explain, "All the research points to the fact that early positive interventions while youth are committing minor offenses is the most effective way to keep kids on track, in school, and out of the criminal justice system."

Chief Walt Tippet expressed that his Fairfield team will attempt to expand



(From left) Walt Tippet, Jim Bueermann, Shay Bilchik, Susan Manheimer and Kelly McMillin



Fairfield Police Chief Walt Tippet (center) with Solano County Probation Chief Chris Hansen and Fairfield-Suisun Unified School District Superintendent Kris Corey



*San Mateo Police Chief Susan Manheimer (far right) with (from left) Detective Laura Sharp, Probation Chief John Keene, and county mental health expert Linda Simonsen*



*(From left) Probation Services Manager Bob Reyes, Rancho Cielo Executive Director Susie Brusa, Police Chief Kelly McMillin and Salinas Community Safety Director Jose Arreola*



*Susan Manheimer between classes with fellow participants*

the links between schools, probation, and police to divert more youth to a new multi-service center featuring mental health services. "We see too many of our young people falling through the cracks from school to the streets with disastrous outcomes. Our officers see it every day. The goal of our diversion effort is to help develop a model that will identify opportunities to provide interventions away from the criminal justice system and into more positive outcomes for the youth involved and for our community."

Salinas Police Chief Kelly McMillin says, "Giving police officers the training to recognize low-level offenders and providing them the tools to divert those offenders into services and away from the criminal justice system is a critical component to a comprehensive diversion program." Chief McMillin adds, "In addition to reducing the number of system-involved youth, police officers engaging in diversion programs will demonstrate to the community that law enforcement cares about long-term reductions in youthful offenders, enhancing police legitimacy within the community."

Jim Bueermann, former Redlands

Police Chief, and President of The Police Foundation, met with the California team and expressed interest in helping more jurisdictions access training and technical assistance on issues impacting police re-

*"This is a wonderful opportunity for California law enforcement to develop new strategies for youth they encounter who may be engaged in the juvenile justice system."*

lationships with youth and their families. "This is a wonderful opportunity for California law enforcement to develop new strategies for youth they encounter who may be engaged in the juvenile jus-

tice system. We expect the results of these positive interventions to show positive benefits to our youth and the three communities participating, with the goal of reducing the load on our juvenile justice systems." Jim describes the goals of this project as consistent with the mission of The Police Foundation: "The Police Foundation sees this work as one of the best ways to improve police legitimacy and build trust in any community by providing effective supports to youth and their families through close partnerships with health and education partners."

Jurisdictions interested in attending future trainings are encouraged to visit the Georgetown site at [cjjr.georgetown.edu](http://cjjr.georgetown.edu). For tips on raising funds to support training costs, please contact Barrie Becker, a consultant to The Police Foundation on this project and Director of Special Projects for Fight Crime Invest in Kids. Barrie explains, "Given solid research pointing to the educational, health and public safety benefits of diverting youth out of the juvenile and criminal justice systems, many policy-makers and philanthropists are interested in supporting future juvenile diversion work." ■



# Law Enforcement Soaring to New Heights with Fontana Regional Air Support Program

By Martha Guzman-Hurtado

*High atop the sky reaching altitudes of 10,000 feet, the world offers a different perspective. Street lights illuminate the path for vehicles on the road, parks and alleys become clearly visible, while mountains and other landmarks proudly display their presence.*

The Fontana Regional Air Support Unit or ASU as it is commonly referred as takes it all in with its unobstructed view on the region below. The ASU has three helicopters and one airplane combing through ground activity from above to enhance public safety. The program, still in its infancy is an innovative and collaborative effort involving the cities of Fontana, Colton, Rialto and Redlands. The ASU provides an aerial perspective from 500 to 10,000 feet up in the sky to support officers on the ground handling day to day public safety calls. "The benefits of The Fontana Regional Air Support Unit are twofold, first and foremost the public and police officer on the ground have another layer of protection from the air and secondly, partnering with other law enforcement agencies mitigates the financial burden," said Fontana Police Lieutenant Jim Escarpe.





The program began operations April 4th, 2012 to keep costs down during challenging economic times and enhance law enforcement capabilities with a highly visible set of eyes from the sky. The program relies heavily on contributions from each agency in order to thrive. The Fontana Police Department provides the helicopters, tactical flight officers and operational costs. The City of Colton provides funding to contribute to the operational expenses and Rialto provides tactical flight officers for the flights. The Redlands Police Department joined The Fontana Regional Air Support Unit in September 2012 with the addition of their Cessna 172 airplane. The airplane is used for patrol, surveillance and special events. "Through the sharing of aviation resources, we are able to provide better police services to our respective cities, utilize a cost-efficient aviation asset to increase crime fighting capabilities, expand coverage of aviation patrols, and enhance officer safety," said Redlands Police Commander Shawn Ryan. "The citizens of all cities are reaping the benefits of these shared resources."

The Fontana Regional Air Support Unit started with one R44 helicopter provided by the City of Fontana. The unit welcomed the newest addition, a R66 helicopter in the summer of 2014, bringing the program total to two R66 helicopters, one R44 helicopter and the Cessna airplane. The helicopters are equipped with state-of-the-art technology to facilitate the officer's ability to respond to calls or service from above. The helicopters have police radios, powerful searchlights, forward looking infrared (FLIR) cameras, GPS mapping, PA/siren, computers, Lo-Jack and radios for both communication and navigation. The helicopters can cruise at 144 mph. The best part is the helicopters have been paid for by drug forfeiture money. This money is taken from local drug dealers, a portion of which is returned to the local law enforcement agency specifically for use in narcotics-related law enforcement purposes.



The Redlands Police Department Air Support Unit first took flight in 2007 with a specially outfitted Cessna 172 airplane. The airplane was a less expensive alternative to purchasing a helicopter. The Redlands Police Department staffs their plane almost entirely with community volunteers. Thirty-eight volunteer pilots and co-pilots, and one full-time sworn tactical flight officer, and ten other sworn officers, who act as tactical flight officers on part-time bases, make up the unit. The Redlands Police Department Cessna operates one 10-hour shift per day, five days a week. The airplane flies approximately 1,150 flight-hours per year.

A regionalized helicopter program is an effective way to enhance public safety since crime has no borders. The presence of a helicopter and airplane help to deter crime from ever happening. The helicopters are currently flying five days a week, but will start flying seven days a week in 2015. The air support is a valuable asset to assist in high-speed pursuits, observation, air patrol and control of large-scale public events.

The ASU hangar operates out of the Guardian facility of the southwest portion of the Ontario International Airport. The Fontana Police Department is looking to build their own hangar for the aircraft in the future. The unit's advantage of quicker response times has resulted in the recovery of illegal drugs, stolen property, and the arrest of hundreds of suspects since it started in 2012. The Fontana Regional Air Support Unit is a win-win partnership for the agencies involved and the entire region. ■

## THE FONTANA REGIONAL AIR SUPPORT UNIT:

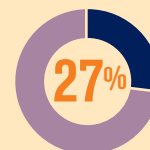
- Provides widespread ability to monitor and respond to calls/activity.
- Improves safety to police officers.
- Reduces vehicle theft, robbery, burglary and assaults.
- Reduces the number, and duration of police pursuits.
- Reduces the number of hours spent conducting searches for suspects, missing persons, and other related calls.
- Increases the level of protection.
- Reduces police response time to emergency and "in-progress calls."
- Provides valuable support to city staff during major disasters.

# 2,420

Total calls the unit has responded to since the program's inception on April 4, 2012 to August 15, 2014



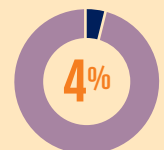
**OR**  
**1,393**  
FONTANA  
CALLS



**OR**  
**649**  
RIALTO  
CALLS



**OR**  
**270**  
COLTON  
CALLS



**OR**  
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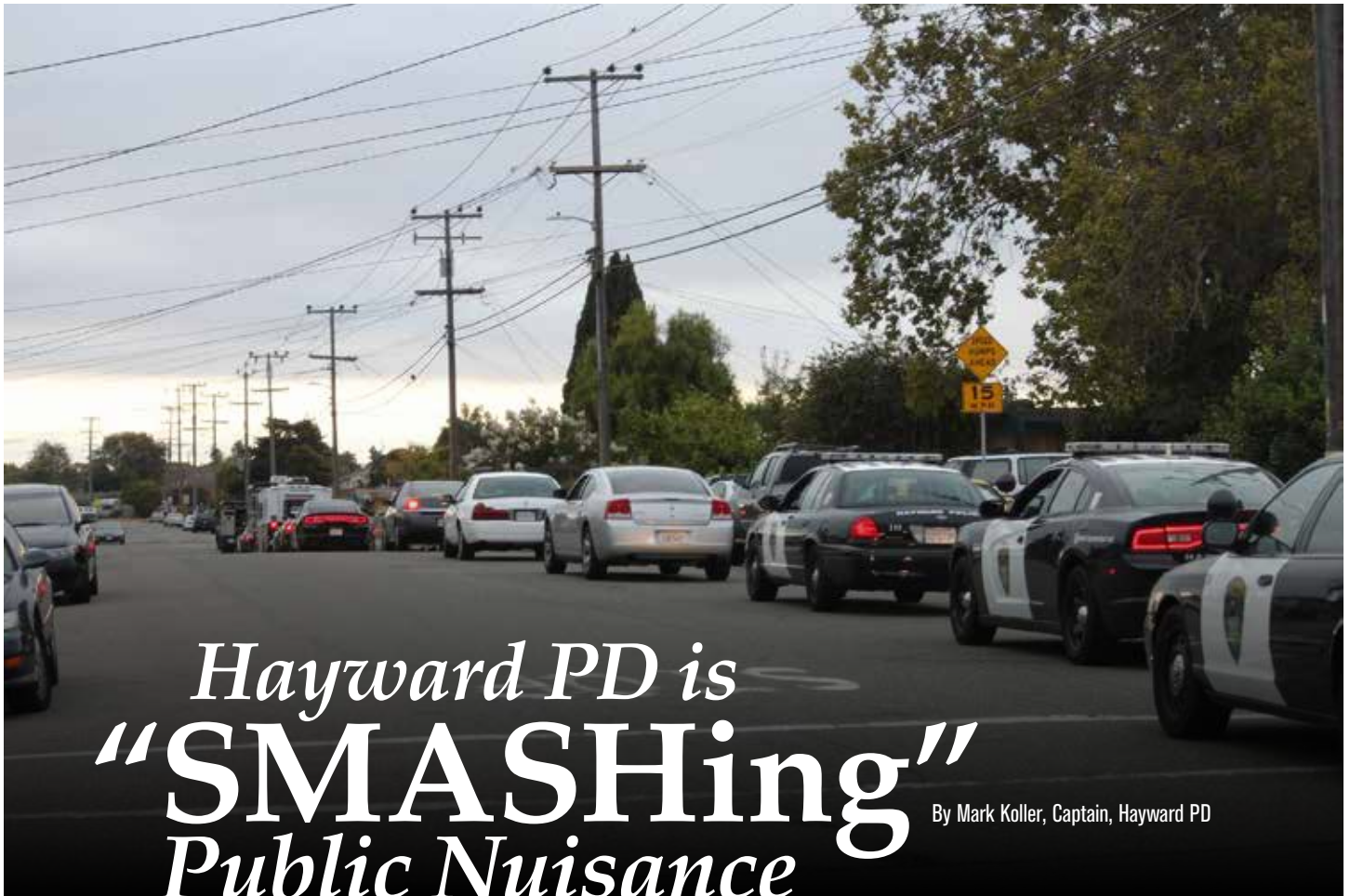
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# Hayward PD is “SMASHing” Public Nuisance

By Mark Koller, Captain, Hayward PD

Addressing chronic issues in our communities remains a challenge to all law enforcement agencies. Every community struggles with a location or condition that remains the bane of a neighborhood’s existence where traditional responses, such as criminal investigations, saturated patrols and arrests, prove to be ineffective at dissolving the problem long term.

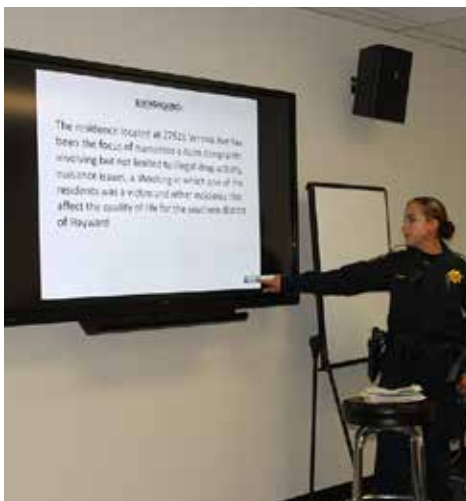


In the early 1990’s, like many other law enforcement agencies, the Hayward Police Department (HPD) began its

transformation from traditional policing to policies and practice that embrace a community oriented policing philosophy. A unique program was born as a result of this transformation, which has helped the HPD to more effectively target chronic issues in our community.

Synchronized Multi-Agency Safe Housing (SMASH) was created to relieve the HPD of the sole burden of resolving chronic issues and public nuisances. The program aims to partner with fellow city and county agencies in an effort to develop a collaborative solution and carry out a simultaneous response. The theory is simple, each of the participating agencies regulate, in one form or another, various physical or behavioral conditions that are the cause of these chronic nuisances. In fact, most have regulatory fines and consequences that far exceed the impact of arrest or criminal investigations. Therefore, the HPD combines criminal investigations with regulatory enforcement with the help of Code Enforcement, Probation, Housing, Fire, Building, Child / Adult Protective Services, City Attorney and other regulatory agencies.





Behind the scenes, a SMASH operation begins with the HPD's District Command / Community Policing Unit. The District Command officers work hard to identify residences, complexes, or other locations that serve as a nexus to chronic criminal or social nuisance behaviors within the city of Hayward. Upon identifying their target location, District Command officers conduct an investigation into a location's history, including residents and any other participants associated with the nuisance at the property. Through these investigations, officers are able to obtain arrest/search warrants or parole/probationary search clauses as legal means to gain access into the location. On the day of the SMASH operation, all agencies convene to pre-plan tactical strategies and investigative follow-up procedures.

Upon service of the warrant or at the point when police officers exercise the search clause, representatives from partnering agencies accompany the HPD into the location. As the HPD conducts its criminal investigation, other agencies conduct a congruent inspections or investigations pursuant to their authoritative domain. An after action report is provided to city management at the conclusion of the operation. This report includes arrests, violations, and a follow-up plan for continued abatement and condition improvement. Property owners and managers are made aware of all follow up actions, which aim to maintain an expectation of improved behavior and conditions. In the end, the offenders and the property owners are held accountable to correct or abate the identified issues in accordance with established city ordi-

nances, and failure to do so results in various fines and or penalties.

Although SMASH has seen overwhelming success, there have been a few operations where the City was forced to take civil action resulting in court ordered receiverships. In one of those instances, a property was ordered to be demolished. To address the time consuming and expensive nature of such civil litigation, the City of Hayward adopted the Property Related Social Nuisance Ordinance in November of 2013. This ordinance allows expedient administrative action to be taken against negligent or problematic property owners who fail or refuse to take corrective action to abate identified chronic criminal behavior and nuisances.

Stacey Bristow, who oversees the City of Hayward's Code Enforcement, states that the SMASH program is "a pro-active



approach that has an extremely positive impact on the community of Hayward. The program not only benefits the community, but all those involved in the process by allowing them to see the capabilities of each department and become familiar with what others do to assist the community." Stacey further related SMASH is a pioneering program that other cities are beginning to emulate. Code Enforcement Supervisor Eusebio Espitia, who joined the City of Hayward after being employed for ten years at a much larger California municipality, echoes Stacey's thoughts regarding the level of team work a SMASH demonstrates amongst the various departments in addressing neighborhood issues. Espitia adds that, "Other cities with similar community issues could greatly benefit from employing a program like SMASH."

In September of 2012, the Hayward

Police Department was approached by the executive board of the California Crime Prevention Officers' Association to provide training at their 38th annual training symposium. The board was specifically interested in highlighting the success of SMASH in the improvement to the quality of life within the Hayward community. The HPD developed a two-hour overview of the program and provided the training to over thirty law enforcement agencies attending the annual symposium. The program received substantial interest and the HPD has since worked with a number of agencies interested in developing similar programs in their own agencies.

The SMASH program has experienced overwhelming success, gaining voluntary cooperation from most property owners and participants through a civil and criminal process. It serves as a platform

that allows other preventative measures to thrive, such as: Crime Prevention through Environmental Design, Neighborhood Watch, and the Crime Free Multi Housing programs. Lastly, it has created long lasting partnerships with fellow agencies that extend far beyond the SMASH program. In an era where shrinking budgets and staffing shortages are prevalent, SMASH has proven to be a valuable tool to resolve and permanently abate problematic behavior, while improving the quality of life, within the Hayward community, and it continues to strengthen the relationship between the Hayward Police Department and the community.

For further information regarding SMASH, please contact the Hayward Police Department's SMASH program manager, Lieutenant Christine Orrey at 510-293-7133 or [Christine.orrey@hayward-ca.gov](mailto:Christine.orrey@hayward-ca.gov). ■



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# Reedley Police Win James Q. Wilson Award for Excellence in Community Policing

*The Reedley Police Department was recently awarded the James Q. Wilson Award for excellence in community policing at the 2014 California Police Chiefs' Training Symposium held in Monterey, California.*

The award presentation was based on the innovative restorative justice initiative Chief Joe Garza and his department have implemented over the past several years in Reedley, California. This initiative has continued to gain recognition and participation based on its "outside the box" process of handling juvenile crime and conflict.

In a society with an ever-increasing burden on our Criminal Justice System, law enforcement is challenged to find solutions that will enhance our communities, not continue to allow them to deteriorate. The Reedley Police Department has taken a forward step toward alternate solutions in addressing juvenile crime while

embracing the philosophy of restorative justice and community restoration as a whole.

The Reedley Peace Building Initiative (RPBI) is a restorative justice process modeled from the Victim Offender Reconciliation Program (VORP). Restorative justice is a process whereby all parties with a stake in

a particular offense come together to resolve collectively how to deal with the aftermath of an offense and its implications for the future, while focusing on repairing the relationship at the same time. The offense is mediated between the offender, victim and a qualified conflict mediator. The outcome is a contract signed between both parties in which they agree on how to restore the damage caused by the offense. In many cases entire families (parents, siblings) will become involved in the conflict resolution as well. "The goal of the restorative justice process is to reduce crime rates while continuing to create healthier families that will contribute back to their community," says Chief Garza.





RPBI was implemented in 2010 as a criminal justice tool designed to serve the victims and juvenile offenders of the Reedley community. It began as a partnership with the Reedley Police Department and the Mennonite Central Committee (MCC), which is a world-wide faith-based organization. The partnership with MCC has allowed for increased participation from faith-based organizations which have not been traditional partners in law enforcement program collaborations historically.

At the foundation of RPBI are the individual community members who have volunteered to participate as mediators for the program. The mediations resulting from the caseloads generated

Restorative justice is a process whereby all parties with a stake in a particular offense come together to resolve collectively how to deal with the aftermath of an offense and its implications for the future, while focusing on repairing the relationship at the same time.

by both the Reedley Police Department officers and the restorative justice coordinator on the Reedley High School campus could not be managed if the process relied on existing personnel. This is why a volunteer mediator base is so crucial to the success of the RPBI.

This restorative justice process allows for *community to take care of community*. Responsibility lies within members of Reedley's community who volunteer to assist with mediation, provide community service options and supervision and mentoring opportunities. The goal of this program is to provide services locally so all affected parties can resolve these issues without the added burden and cost of driving to the metropolitan area of Fresno, where most criminal and social services are located.

Credited to a large community outreach and organizational support over the past two years, the partnerships within RPBI have increased significantly. In 2012, the Kings Canyon Unified School District consisting of 19 school campuses and an overall student population of 10,000 including Reedley High School, with the largest student body in excess of 2,000 chose to collaborate with the RPBI by assisting in the funding of a restorative justice coordinator. The restorative justice coordinator manages the caseload of juvenile crime occurring on all school campuses and works closely with the Reedley juvenile detective.

There have been numerous significant positive outcomes that are directly related to community policing philosophy and the overall health of the City of Reedley, since the implementation of the RPBI. With the over 50 volunteer mediators trained in conflict resolution the in excess of 90 criminal cases involving over 100 juvenile offenders have been successfully mediated to completion. The Kings Canyon Unified School District has experienced an overall reduction in suspensions at Reedley High School by 38% and an overall reduction in expulsions by 78%. The partnerships created through RPBI have taken an active approach, along with the community, to achieve these results.

"Restorative Justice is about giving our youth a second chance." Chief Garza stated, "Giving them this second chance has contributed to building a healthier Reedley community. The opportunities that arise when someone can take ownership of an offense and still be accepted into the community help to build confidence and a sense of appreciation in our young people."

If you are interested in additional information regarding the RPBI please contact Lieutenant Marc Ediger at 559-637-4250 or [marc.ediger@reedley.ca.gov](mailto:marc.ediger@reedley.ca.gov). ■

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### **Municipal Law Enforcement Agencies: 1-25 Sworn Officers**

Marysville Police Department	1st Place
Lathrop Police Services	2nd Place
Hollister Police Department	3rd Place

### **Municipal Law Enforcement Agencies: 26-75 Sworn Officers**

Novato Police Department	1st Place
Burlingame Police Department	2nd Place
Petaluma Police Department	3rd Place

### **Municipal Law Enforcement Agencies: 76-150 Sworn Officers**

Visalia Police Department	1st Place
Daly City Police Department	2nd Place

### **Special Award Categories**

Novato Police Department	Occupant Protection
Marysville Police Department	Distracted Driving
Lathrop Police Services	Impaired Driving
Hollister Police Department	Motorcycle Safety
Visalia Police Department	Speed Awareness
Daly City Police Department	Bicycle & Pedestrian Safety

### **Commissioner's Award**

Novato Police Department

### **Rookie-of-the-Year**

Burlingame Police Department



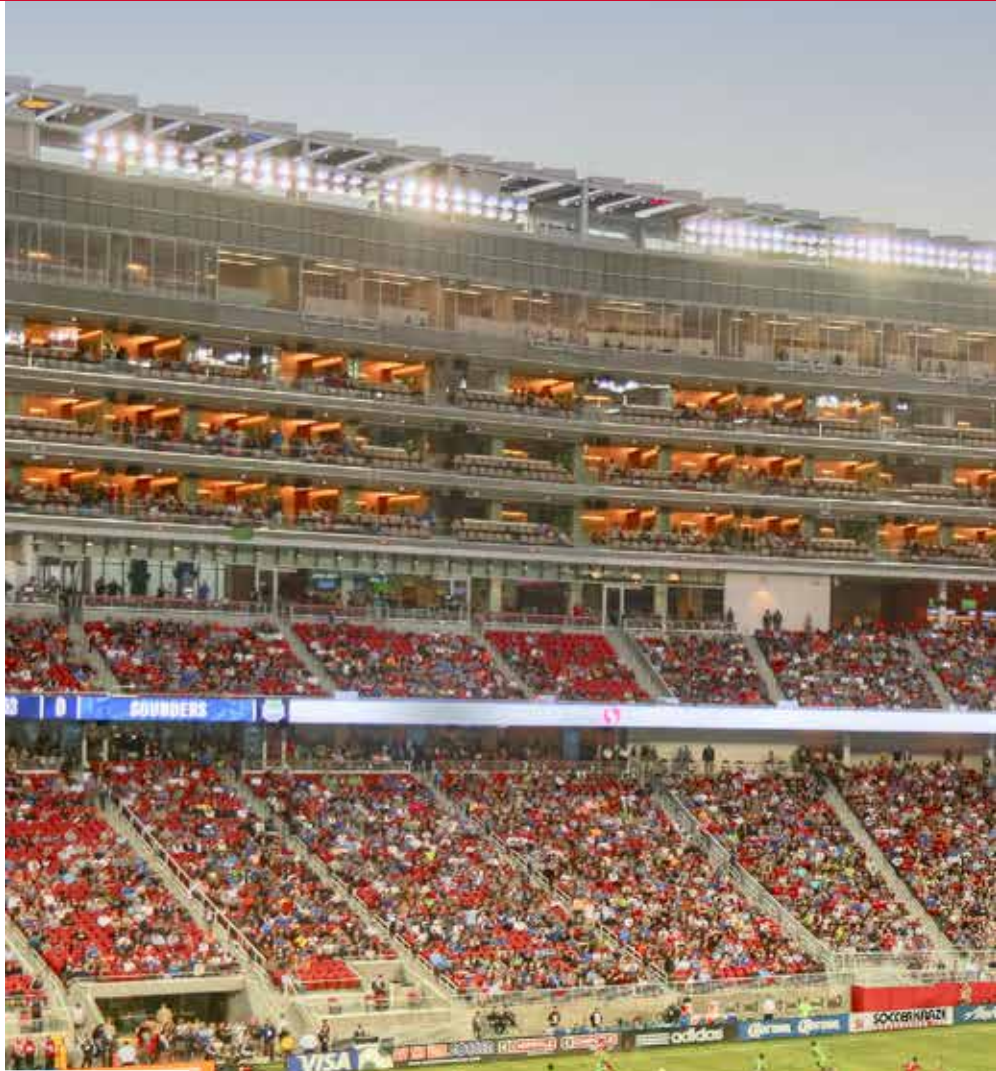
For information on how to participate in the 2014 California Law Enforcement Challenge, please visit our Web site at [www.chp.ca.gov/programs/clec.html](http://www.chp.ca.gov/programs/clec.html)



# POLICING LEVI'S STADIUM A COALITION IS

By Dan Winter, Assistant Chief, Santa Clara PD

*In June of 2010, the voters of the City of Santa Clara approved the plan to build an NFL stadium in the north end of the city. The stadium was to be located in the corner of a parking lot used by Great America Theme Park. The San Francisco 49ers have had their team headquarters adjacent to that parking lot for a couple of decades, so putting their stadium in our city seemed like a great fit.*



Command Post



# FORMED







*Officers at Briefing*



Many of us thought that it was just a dream and that San Francisco would figure out a way to keep the 49ers in the city. We were soon proved wrong. A deal was signed and Santa Clara would become the new home of the San Francisco 49ers.

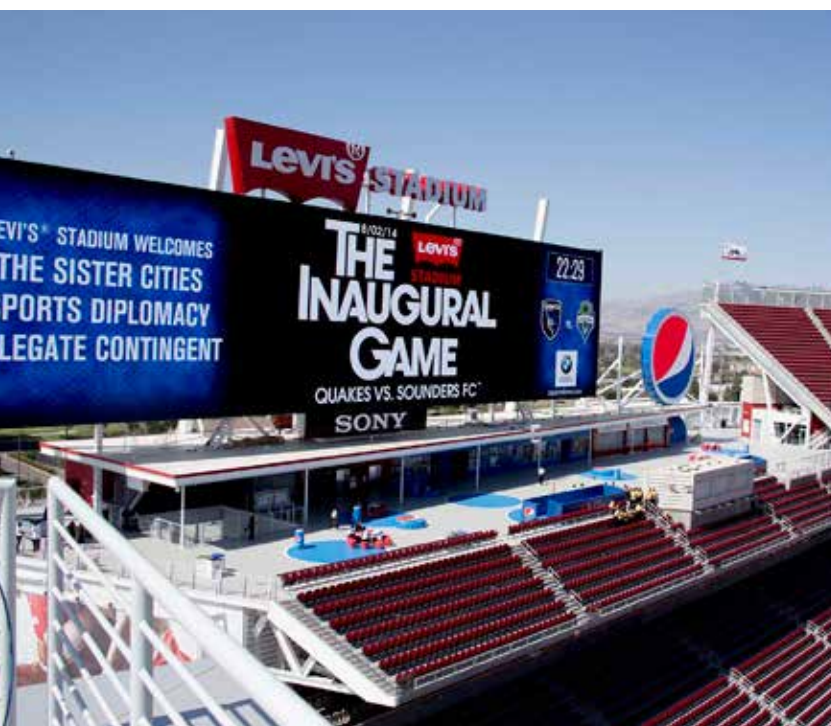
After construction began, the Santa Clara Police Department realized that it would be one of the smallest law enforcement agencies in the country to host an NFL stadium. The police department is made up of just 142 sworn police officers. Those officers serve a city of 18 square miles with a population of 116,000. That

population swells to over 150,000 during the day with high tech workers coming to Intel, Applied Materials, NVidia, and several other companies that are headquartered in the city. With the building of one new stadium, the population of our city was about to go up by 70,000 people each and every game day.

We immediately began planning for this massive new law enforcement operation. A lieutenant and a sergeant were tasked with researching stadium operations around the country. During the two years of stadium construction, these dedicated officers developed a list of best

practices and created a plan to implement those practices at Levi's Stadium. This involved everything from equipment purchases (Bicycles, Barricades, Computers, Radios, Dispatch Equipment, Office Supplies, etc.) to bag check policies to what uniforms officers should wear.

The one issue that became immediately apparent was that we did not have enough off-duty officers to police the stadium on game days. We needed help. We attempted to sign contracts with municipal police departments to provide law enforcement services at the stadium on an overtime contractual basis. Many of the







*Chief Michael Sellers  
addressing the first Briefings  
(August 2nd) at Levi's Stadium*



*Officers at Briefing*

agencies did not want the increased liability and the potential personnel complaints that would follow when citizens interacted with officers wearing their patches and their uniforms at the stadium.

A decision was made to ask these same cities that if they would be willing to allow their officers to work the games in Santa Clara uniforms. Chief Sellers began talking about this plan to have "double badgers" work the stadium. Thankfully, the Santa Clara County Police Chief's Association had a long history of collaboration and cooperation among the various agencies in the county. Most of

the chiefs in Santa Clara County agreed with the plan and our "double badger" program was initiated.

We decided that we wanted to hire 100 new per Diem police officers and we wanted to hire them quickly. This was a huge task that involved many staff members at our department and City Hall. All of the P.O.S.T. hiring requirements had to be maintained even though these were working full-time and Reserve police officer officers from other agencies around the state. That meant over 100 interviews, backgrounds, psychological tests, and all of the accompanying paperwork. Through

the tireless work of our recruiting officer and the human resources department, we hired 95 per Diem officers before the first event at Levi's Stadium. Those 95 officers came from 37 different agencies throughout California. Some officers actually come up from Southern California and spend the night before the game just for the opportunity to work at the stadium. We are thrilled that 37 different agencies have been willing to let their full-time and/or reserve officers form this new coalition of officers. Without these Chiefs and Sheriffs being willing to try something new, we would not have been successful.



*New Bike Patrol Officers*



We also must commend our Federal and State partners. The California Highway Patrol has stepped up in a huge way. They provide traffic control and air operations. In addition, Federal agencies immediately offered their assistance. We have cooperation from the Federal Bureau of Investigation, Department of Homeland Security, the NCRIC and other agencies. The stadium is a safer place because of their involvement and commitment to public safety.

Our work at policing Levi's Stadium is far from over. We are continuing to hire per Diem officers and have expanded our search to hiring retired full-time officers. Our goal is to have at least 200 officers hired by the time a little event called Super Bowl 50 comes to town in February of 2016. The Super Bowl has not occurred in the Bay Area since Stanford hosted the game in 1985 and it has not been held in California since it was held in San Diego in 2003. We know the eyes of the world will be upon us.

Our initial key to success was the spirit of cooperation that was developed in the Santa Clara County Chief's Association. That spirit of cooperation spread to over 25 additional agencies throughout California because of the networking that takes place from organizations like the California Police Chief's Association. This has proven once again that chiefs in California are forward thinking individuals that can work collaboratively and cooperatively to solve issues, even when those issues may reside in another jurisdiction. ■



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CalVCP is honored to work with police officers to effectively and expediently provide valuable information to victims of domestic violence, assault, sexual assault, and homicide.

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### The Pink Patch Project

Posted 10/22/2013 7:30 am

October is National Breast Cancer Awareness Month. Every October you can't help but notice the conspicuous infusion of pink on NFL team uniforms, Major League Baseball teams, and on the clothes of breast cancer survivors and supporters. But this year you won't have to turn on a professional sports event to see pink enhanced uniforms. All you'll need to do is have contact with a Seal Beach Police employee or volunteer.

That's right, for the entire month of October, Seal Beach Police personnel will be wearing their traditional uniform with a uniquely embroidered pink patch.

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