



# DISPATCHER

The Official Publication of the Association for Los Angeles Deputy Sheriffs Incorporated (ALADS)

## Vote YES on Prop 20



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# DISPATCHER

The Official Publication of the Association for  
Los Angeles Deputy Sheriffs Incorporated  
(ALADS)

## BOARD OF DIRECTORS

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Ronald Hernandez

#### WOLF IN SHEEPDOG CLOTHING

If you were to research the saying "wolf in sheep's clothing," and follow up with how to spot the red flags, you would see this is not new. What is new, in our current situation, is that the wolf is not leading the sheep to the slaughter. The wolf is attempting to portray himself as a Sheepdog so that the sheep will follow.



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James Wheeler

#### VOTE YES ON PROP 20: FINALLY, A PROPOSITION THAT ACTUALLY IS FOR PUBLIC SAFETY!

It's very disingenuous to falsely label propositions to mislead the public. Unfortunately, power is given to the State Attorney General, and depending on pressure from the governor, legislature, or political parties, misleading the public is a tactic too often used in California.



## Vote YES on Prop 20



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The overwhelming focus of the attention on COVID-19 issues and State fiscal health was deviated over the past couple of weeks by the civil unrest spurred by the National call for police reform and policy related to affirmative action and civil rights. There was a flurry of "gut and amends" in both the Assembly and Senate to house brand new language on police reform that will presumably be addressed this year.

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Jennifer Lincicum

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# Update Your Contact Information and Be Entered to Win a \$50 Gift Card!

Two winners will take home \$50 gift cards at the end of each month. The gift cards will be selected by ALADS and will not be interchangeable. To be entered in the drawing you must update your contact information with ALADS.

ALADS does not share information with the Sheriff's Department. So if you have moved, or changed your phone number or email address, be sure to update your contact information with ALADS and be entered to win a \$50 gift card.

To update your information with us, you can:  
**Call ALADS at (323) 213-4005 or update your profile  
 by logging into [www.alads.org](http://www.alads.org)**

**Via Mail: Send in the form printed in the  
 ALADS Dispatcher**



**Issue #2 Winners:**



**Ryan Lasalle and Sonia Arreola**

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## Update Your Information ALADS Change in Personal Information

To process a change to your personal info, it is necessary that you complete and sign this form and return it to the ALADS office.

**To change your home address with Anthem/Blue Cross Insurance,  
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City / State / Zip: \_\_\_\_\_

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Mobile Phone: (    ) \_\_\_\_\_

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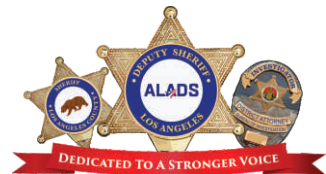
(Non LASD Address)

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Date: \_\_\_\_\_

## ALADS Dispatcher

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 Monterey Park, CA 91755**

**Tel.: (323) 213-4005**

**Fax: (323) 724-0140**

**[www.alads.org](http://www.alads.org)**

Please update your phone book if you have not already done so.



## 2020 Board of Directors



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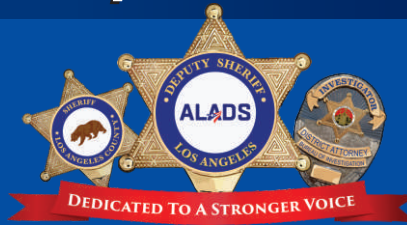
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### Members Can Access:

- Member documents including the MOU
- Legal Plan
- Calendar Events
- Member Discounts
- ALADS Monthly Magazine, *Dispatcher*
- PORF information
- Directory to contact the Board and ALADS representatives
- and many more!



# Important Dates and ALADS Sponsored Events

## AUGUST

**ALADS Board of Directors  
Election Filing Period Opens**  
August 3, 2020

### ALADS Unit Representative Meeting

Wednesday, August 5, 2020  
12 PM

Virtual Meeting (Unit  
Representatives Only)

If you have any questions or  
concerns that you would like to be  
addressed at the meeting, please  
contact your unit representative or  
email us at [info@alads.org](mailto:info@alads.org).

### ALADS Board of Directors Meeting

Friday, August 7, 2020  
11 AM

Virtual Meeting

### Body Scan International House Call

Monday – Friday,  
August 10-14, 2020  
Truck behind ALADS Facility  
Call (877) 274-5577 to make  
an appointment today!

### ALADS Board of Directors Meeting

Friday, August 21, 2020  
11 AM

Virtual Meeting

**Go to [www.alads.org](http://www.alads.org)  
for more ALADS  
Calendar Information!**

## SEPTEMBER

### ALADS Board of Directors Election

Candidate Filing Period Ends  
5:00 PM, September 1, 2020

### ALADS Unit Representative Meeting

Wednesday, September 2, 2020  
12 PM

Virtual Meeting (Unit  
Representatives Only)

If you have any questions or  
concerns that you would like to be  
addressed at the meeting, please  
contact your unit representative or  
email us at [info@alads.org](mailto:info@alads.org).

### ALADS Board of Directors Meeting

Friday, September 4, 2020  
11 AM

Virtual Meeting

### Labor Day

Monday, September 7, 2020  
ALADS Facility Closed

### Body Scan International House Call

Monday – Friday,  
September 7-11, 2020  
Truck behind ALADS Facility  
Call (877) 274-5577 to make  
an appointment today!

### ALADS Board of Directors Meeting

Friday, September 18, 2020  
11 AM

Virtual Meeting

### ALADS Awards Banquet (Tentative)

Friday, September 25, 2020  
6:00 PM Reception  
7:00 PM Dinner  
Pacific Palms Resort  
City of Industry, CA

## OCTOBER

### ALADS Board of Directors Meeting

Friday, October 2, 2020  
11 AM

Virtual Meeting

### ALADS Unit Representative Meeting

Wednesday, October 7, 2020  
12 PM

Virtual Meeting (Unit  
Representatives Only)

If you have any questions or  
concerns that you would like to be  
addressed at the meeting, please  
contact your unit representative or  
email us at [info@alads.org](mailto:info@alads.org).

### Columbus Day

Monday, October 12, 2020  
ALADS Facility Closed

### Body Scan International House Call

Monday – Friday,  
October 12-16, 2020  
Truck behind ALADS Facility  
Call (877) 274-5577 to make  
an appointment today!

### ALADS Board of Directors Meeting

Friday, October 16, 2020  
11 AM

Virtual Meeting

*Happy  
Thanksgiving!*

## NOVEMBER

### ALADS Unit Representative Meeting

Wednesday, November 4, 2020  
12 PM

Virtual Meeting (Unit  
Representatives Only)

If you have any questions or  
concerns that you would like to be  
addressed at the meeting, please  
contact your unit representative or  
email us at [info@alads.org](mailto:info@alads.org).

### ALADS Board of Directors Meeting

Friday, November 6, 2020  
11 AM

Virtual Meeting

### ALADS Board of Directors Election

Deadline for Voting  
5:00 PM, November 9, 2020

### ALADS Board of Directors Election

Ballots Count  
November 10, 2020

### Body Scan International House Call

Monday – Friday,  
November 9-13, 2020  
Truck behind ALADS Facility  
Call (877) 274-5577 to make  
an appointment today!

### Veteran's Day

Wednesday,  
November 11, 2020  
ALADS Facility Closed

### ALADS Board of Directors Meeting

Friday, November 20, 2020  
11 AM

Virtual Meeting

### Thanksgiving Day

Thursday, November 26, 2020  
ALADS Facility Closed

### Day After Thanksgiving

Friday, November 27, 2020  
ALADS Facility Closed

- 1) If you are notified that you are a subject of an investigation . . .
- 2) If you are notified that you are a witness in an investigation . . .
- 3) If you are called into a supervisor's office and you feel you may be under investigation . . .
- 4) If you are involved in a significant use of force – There will be an investigation . . .
- 5) If the department looks at you funny . . .
- 6) If you have any questions . . .

**24/7**

# Call ALADS

## Defense Representatives



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# Front Desk: (323) 213-4005





Photo by Chris Miller

# ALADS THE SUPERIOR CHOICE

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Exclusively represents and fights for ONLY Deputy Sheriffs and District Attorney Investigators	NO	YES
Exclusively negotiates Deputy and District Attorney Investigators' salary contract	NO	YES
Negotiates your fringe benefits with the CCU. ALADS is the only union bargaining unit for sworn employee benefits that include medical leave, retirement and other key benefits	NO	YES
Internally Administered Legal Defense Plan (LDP) with access to over 60 attorneys	NO	YES
Optional Reimbursement for specific discipline	YES	YES
Negotiated medical benefits with Anthem Blue Cross for cheaper insurance rates for members. (PPO and HMO) including a free gym membership, vision plan and additional dental benefits	NO	YES
Membership in the Coalition of County Unions (CCU)	NO	YES
Full time political advocacy at the State Capitol	NO	YES
Actively fought SB 1421 all the way to the California Supreme Court	NO	YES
Filed FSLA lawsuit for legal challenges for Improper Overtime Pay	NO	YES
Family Picnic at Universal Studios	NO	YES
Awards Banquet honoring our members bravery and exemplary service	NO	YES
Dues	\$70	\$113.02

**You Get What You Pay For**

## President's Message

/ by Ronald Hernandez / ALADS President / Board of Directors

# WOLF IN Sheepdog Clothing

ALADS President

**Ronald Hernandez**  
 rhernandez@alads.org


**L**et me start by saying, I hope everyone is well and safe. It has been a rough few months, and it looks like things could get rougher. Some of what is going on in our society is simply part of life (disease/sickness/COVID-19), and some of it is over-exaggerated rhetoric designed to manipulate people emotionally, spiritually and physically, for a hidden agenda.

If you were to research the saying "wolf in sheep's clothing," and follow up with how to spot the red flags, you would see this is not new. However, the rhetoric is more easily spread, because of social media, and how our younger generation communicates. It's actually very smart, if I'm being honest.

What is new, in our current situation, is that the wolf is not leading the sheep to the slaughter. The wolf is attempting to portray himself as a Sheepdog so that the sheep will follow. The wolf wants society to believe that the Sheepdog, who has been protecting the sheep for over 180 years, has always been the predator.

These are truly emotional times, in light of what occurred in Minneapolis. I have not met one fellow law enforcement officer who has even hinted at that incident being acceptable. The closest thing I have heard to defending what occurred is, "he has the right to due process." Quickly followed by, "and I hope he gets what's coming to him."

What is perplexing is the movement that stemmed from the incident has lost its way. When it happened, the demand was the officers be fired. They were, in record time. Next was the demand, they be charged. They were, again, in record time.

So why the need for the destruction and SOME violent protesting? Because the wolf saw the opportunity to exploit a situation for their agenda. What is that agenda? Soft on crime!

Many of these same people (wolves) are the ones asking for a reduction in incarceration, reduced classification of crimes, and are quick to scream that the Sheepdog and the justice system are quick to judge.

I doubt I am the only one who sees the hypocrisy, but I fear the sheep are blinded by their emotion.

We (law enforcement) are the most disappointed when someone within our ranks participates in behavior that cannot be explained and/or rises to the level of a crime.

The reason I say "cannot be explained" is because some incidents are, in fact, training issues, and can be explained as poor tactics as opposed to criminal behavior. Training to do a deeply dangerous job, often dealing with fluid situations, is truly a task in itself.

Again, I'll point out some hypocrisy. How can poor tactics or training be portrayed as worse than someone who willingly participates in criminal behavior, over and over, which ultimately leads to their demise. (Disclaimer: I'm not referring to the Minneapolis incident).

We, in law enforcement, crave and demand better and more training, always. However, no one wants to pay for it. Our department seems to be in a perpetual budget crisis, and the legislators want to scream for more state-mandated training while spending little to no money.

Back to the situation at hand! Where the wolf showed its true agenda was when it started demanding to defund the police. Some of the intellectuals, who have been overshadowed by



/ By Ronald Hernandez / ALADS President / Board of Directors

## President's Message

the wolf, have been stating law enforcement is not equipped to be mental evaluators and / or domestic counselors. I will say we are not entirely un-equipped, but most of us will say if you've got a better idea, we are more than happy to hear it. But, keep in mind it better be a GREAT idea, because these are some of our deadliest encounters.

Portraying law enforcement as the problem in society, while brushing the criminal element under the rug is clearly a recipe for disaster. Stating we are part of a systemic racist organization is about as offensive as it gets. But the wolf figured out the time is right, emotionally and spiritually, to make that the mantra.

The wolf wants you to believe that the majority of Cops are racist and became Cops to take advantage of those they hate.

Think about that! So, in the meantime, while "we wait to take advantage," we endure dealing with people on what is often one of the

worst days of their life and will spend long hours trying to help them with their current situation, any one of which could end the Cop's life.

The Cop will give up many weekends and holidays. Work evenings and graveyard shifts, and still need to find the energy to go to court, often, during the day. So that we can one day "take advantage?"

The Cop will respond quickly to an emergent call, with a medical component, to help save the life of people that they have no idea who they are and what their race is, as they respond. Because this will help mask their desire to "take advantage?"

The Cop will have to live with his life under a microscope 24/7 and have to worry that they might encounter someone off-duty, while with their family, who doesn't like Cops or threatened revenge for an arrest. In the hope of an opportunity to "take advantage?"

And when the Cop gets that opportunity to "take advantage," the wolf would have you believe at that moment, the Cop is willing to give up a career, a pension, and his family.

True communication is the key. Not rhetoric from the wolves. Not shouting from the wolves, so the Sheepdog cannot be heard. Not the destruction of property and theft, in someone's name. If the theft were simply a statement, then I would expect to find a big pile of stolen items, burning, in the middle of the street.

Law enforcement is here, ready and willing to listen to reasonable reforms, but we will not turn over the sheep to the wolf, and we will not stand idly by and be portrayed as predators. That being said, it is up to the sheep to decide who are their true protectors.

Ron Hernandez

President/ALADS



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[www.helpforheroes.us](http://www.helpforheroes.us)

## Vice President's Message

/ by James Wheeler / ALADS Vice President / Board of Directors

# Vote YES on Prop 20

## Finally, a Proposition That Actually IS for Public Safety!

ALADS Vice President

**James Wheeler**  
jwheeler@alads.org



It continually baffles me how bills and propositions are labeled, or should I say mislabeled, on a ballot. I honestly believe the voters are confused about what the bills are about. Voters see the bold words **Public Safety** and think it must be a good thing when in all actuality, the bill or proposition has nothing to do with public safety. It's very disingenuous to falsely label propositions to mislead the public. Unfortunately, power is given to the State Attorney General, and depending on pressure from the governor, legislature, or political parties, misleading the public is a tactic too often used in California.

Back in 2011, Governor Brown signed into law **Assembly Bill 109**, also known as "The Public Safety Realignment Bill." There's an oxymoron. Releasing thousands of inmates to parole, county probation, and county jails,

overburdening the system, is great for public safety. Yeah right! They should've named it, "Put the Burden on **Public Safety Bill**" that would be more accurate. By 2014, the State of California had dumped 25,000 state inmates to county facilities. That was mighty nice of them because there's plenty of room in the already overcrowded county jails.

Coincidentally in 2014, voters passed **Proposition 47**, which was authored by former San Francisco District Attorney George Gascon (YES, the same Gascon who is running for the District Attorney of Los Angeles). Attorney General Kamala Harris, who endorsed former District Attorney Gascon, labeled the proposition on the ballot: "The **Safe** Neighborhoods and Schools Act." Really? Can someone please explain to me how moving the misdemeanor/felony threshold for theft from \$450 to \$950, making possession of the date rape drug Rohypnol a misdemeanor, and allow persons to write bad checks and forge checks up to \$950 makes a neighborhood or a school safer? Anyone? Bueller? Bueller? How many people would've voted for the proposition, if it was properly labeled "Let Theft and Drug Use Run Amok Act"?

Now flash forward to 2016, as if we needed another proposition to release more criminals onto the streets, Governor Brown authored and raised over \$4 million, for **Proposition 57**, the "**Public Safety** and Rehabilitation Act." Are you kidding me? This proposition released "non-violent offenders" to parole, like the "non-violent offender," who murdered Whittier Police Officer Keith Boyer, upon his early release. In other words, you could've had a history of robbery, assault with deadly weapons, murder, and rape, but if your current offense is rape of an unconscious person that would not constitute a violent crime. Therefore, nothing in your past is factored into whether you should be released into the public early. Some of the crimes classified as non-violent: Human Trafficking of Children for Prostitution, Lewd Acts on a Child, Assaulting a Peace Officer with anything other than a Firearm, Solicitation of Murder and Felony Domestic Violence, which I find funny since the word violence is in the crime. The campaign contributions for support of this bill were over \$15 million including the \$4 million from Governor Brown.





/ By James Wheeler / ALADS Vice President / Board of Directors

## Vice President's Message

Fortunately, there are some good legislators in the State Capitol, who actually care about public safety. They are sponsoring a proposition that makes significant changes to AB 109, Prop 47, and Prop 57. The measure is called Proposition 20, Keep California Safe (<https://keepcalsafe.org/>).

### The Keep California Safe Act will:

**Expand the Crimes for Which Early Release is Not an Option:** Under current law, rape of an unconscious person, trafficking a child for sex, assault of a peace officer, felony domestic violence and other similar crimes are not classified as “violent felonies” — making criminals convicted of these crimes eligible for early release.

**Gives victims reasonable notice of inmates' release and the right to submit a confidential**

**statement to the Board of Parole Hearings.**

**Reinstates DNA collection for certain crimes that were reduced to misdemeanors as part of Proposition 47:** Multiple studies have shown that DNA collected from theft and drug crimes has helped solve other violent crimes, including robbery, rape, and murder. Since the passage of Prop 47, cold-case hits have dropped over 2,000, with more than 450 of those hits connected to violent crimes.

**Revises the theft threshold by adding a felony for serial theft — when a person is caught for the 3rd time stealing with a value of \$250:** Prop 47 changed the dollar threshold for theft to be considered a felony — from \$450 to \$950. As a result, there has been an explosion of serial theft and an inability of law enforcement to prosecute these crimes effectively. Theft has increased by 12% to 25%, with losses of a billion

dollars since the law was passed.

**Requires the Board of Parole Hearings to consider an inmate's entire criminal history when deciding parole, not just his most recent commitment offense; and requires a mandatory hearing to determine whether parole should be revoked for any parolee who violates the terms of his parole for the third time:** AB 109 bases parole solely on an offender's commitment offense, resulting in the release of inmates with serious and violent criminal histories. Moreover, parolees who repeatedly violate the terms of their parole currently face few consequences, allowing them to remain on the street.

ALADS will be sending out email blasts leading up to the November election. Please share them with your friends and family members. Ask them to share them too.



## Human Trafficking of a Child in California is Not Considered “Violent”

The following crimes are not considered “violent” under current California law, allowing inmates convicted of these crimes to be released from prison early. Proposition 20 stops early release by recognizing that these crimes ARE VIOLENT:

- Human trafficking of a child
- Abducting a minor for prostitution
- Rape by intoxication
- Rape of an unconscious person
- Felony sexual penetration, sodomy, or oral copulation when drugs are used or the victim is unconscious
- Drive by shooting, or shooting, at an inhabited dwelling or vehicle
- Assault with a firearm
- Felony domestic violence
- Felony assault with a deadly weapon
- Serial arson
- Solicitation to commit murder
- Assault with caustic chemicals
- Assault by a caregiver on a child under 8 that could result in death or coma
- Felony assault using force likely to produce great bodily injury
- False imprisonment / taking a hostage when avoiding arrest or to use as a shield
- Assaulting a police officer with anything except a firearm
- Exploding a bomb to injure people
- Felony hate crime
- Any felony where a deadly weapon is used
- Felony use of force or threats against a witness or victim of a crime
- Felony elder or dependent adult abuse
- Any crime requiring lifetime (290) sex offender registration



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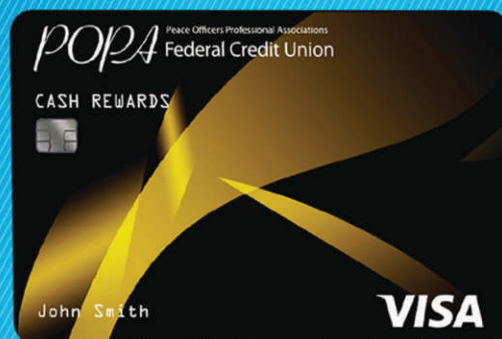
Closing costs range from \$200 to \$1200 to open a HELOC. Call us for details on how POPA FCU can pay all closing costs. Property insurance is required, and flood insurance is required where necessary. Consult a tax advisor regarding the deductibility of interest and charges. Rates, program terms and conditions are subject to change without notice. Other restrictions and limitations may apply. NMLS # 852741.

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<sup>1</sup>APR = Annual Percentage Rate. The APR will vary with the market based on the prime rate. APR for purchases, cash advances and balance transfers can range from 8.25% to 18.00%. Your rate may vary, based on your creditworthiness.

<sup>2</sup>Cash back on eligible net purchases (purchases minus any refunds, returns, and/or billing disputes). Other restrictions may apply.

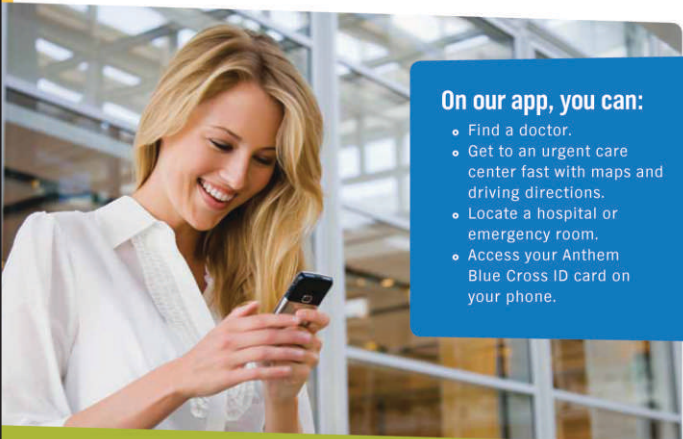
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## LEGISLATIVE SESSION UPDATE:

# Pandemic Protocols, State Fiscal Health and National Calls for Reform Create a Complicated Environment for Building Good Public Safety Legislation



By **Matt Siverling**  
Legislative Advocate, ALADS



**T**he Assembly wrapped up its House of Origin deadline and adjourned for Summer Recess, per their updated calendar. This means that any measure that was introduced in the Assembly needed to have cleared the policy, fiscal and Floor votes in order to continue moving. The Senate finished their fiscal committee file and will now focus on moving the remainder of their measures through their Floor. They adjourned prior to the July 4th holiday and returned at the same time as the Assembly (July 13th) to finish out the 2020 Session on the same calendar.

The overwhelming focus of the attention on COVID-19 issues and State fiscal health was deviated over the past couple of weeks by the civil unrest spurred by the National call

“

**Police reform efforts are reaching a fever pitch at the local, state and federal level; and more than ever it is critical that the voices of law enforcement are at the table and responding to the call for change.**

”

for police reform and policy related to affirmative action and civil rights. There was a flurry of “gut and amends” in both the Assembly and Senate to house brand new

language on police reform that will presumably be addressed this year. We have now been presented with bills legislating the carotid restraint; protest and riot response including rubber bullets and tear gas prohibitions; interjection of “independent investigation” of use of force by the Department of Justice; and a measure to create a new crime for obstructing or interfering with a member of the press who attempts to enter a secured “closed” area during a protest or riot. This issue shows no sign of slowing down.

Compounding all of this is the continued pandemic protocol for the State Capitol facility and its effect on the Legislative Process. Since mid-March, the Capitol has been essentially closed to all visitors with the exception of elected Legislators and their one chosen staff-person who can freely enter the building. Lobbyists, Association leadership and the public are permitted into the facility only during hearings; and only if the individual can demonstrate that they are needing to be present to testify on a bill that is up for a vote that day. After interfacing with security officers at the one open gate for the Capitol (and identifying yourself on a corresponding

continued on page **17**



pre-prepared manifest for testimony) you are permitted to advance to the health screening where your temperature is taken and you are asked a series of questions about your recent travel activity. Once (and if) you clear this step, you are escorted into the building and placed on an elevator (by yourself) to ride up to the 4th floor hearing rooms,

**Each of these proposals will have significant impacts on the rank-and-file, and we are charging ahead at each level of government to ensure that decision makers have a complete understanding of the impact of their votes and how the fallout will endanger the public.**

where you are met by another Sergeant who walks you to the appropriate committee room and places you in your seat. When the time comes to testify, you may do so from a safe distance and through a mask. After completing your testimony, you are then escorted back to the elevator, sent down solo again, and met at the ground floor to ensure your exit from the building.

Although everyone in the State is affected by these new protocols, it is particularly challenging for any profession that is the sole target of many of the few remaining active measures in the 2020 Legislative Session.

Police reform efforts are reaching a fever pitch at the local, state and federal level; and more than ever it is critical that the voices of law enforcement are at the table and responding to the call for change. Each of these proposals will have significant impacts on the rank-and-file, and we are charging ahead at each level of government to ensure that decision makers have a complete understanding of the impact of their votes and how the fallout will endanger the public.

We are finding in these challenging times that, despite the immense public pressure to do “something” to create legislation to address the outcry, many elected officials continue to understand the tremendous difficulties of the job of law enforcement and have reached out to us to communicate their ongoing support. Others find themselves in a complicated position of attempting to appease the call for drastic reform without jeopardizing or diminishing the safety of their constituents. In these cases, which have been numerous, we have been steadfast in communicating our direct concern for any proposal or effort that would decrease the well-being of our communities and those Californians who deputies swore and oath to protect and serve. Lastly, most troublingly, we have learned of more aggressive efforts to undermine the ability of law enforcement to provide essential service, to which we have no choice but to steadfastly oppose.

Although many of the proposals and ideas we have been presented with would have a negative impact on crime rates, potential for officer injuries, property damage and the safety of the public in general; we can say,

with strong confidence, that law enforcement and the police reform effort do share some of the same goals and occupy common ground on important, fundamental issues. Deputies entered into the profession to serve their communities and provide aid to those who need or ask for it. A solid relationship of trust, respect and understanding between

**Deputies entered into the profession to serve their communities and provide aid to those who need or ask for it. A solid relationship of trust, respect and understanding between law enforcement and the public is critical to ensure safe and productive interactions between all parties.**

law enforcement and the public is critical to ensure safe and productive interactions between all parties.

Going forward, we will strive to bolster these important principles while defending our primary commitment to keep our residents safe.





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## Disciplinary Appeal of Termination Still Possible After Retirement

By **Robert Rabe, Esq.**  
Stone Busailah, LLP

**W**e recently had a client ask us if they could proceed with their disciplinary appeal, if they retired **after** being fired<sup>1</sup>. Although at one time it was uncertain what would occur in such a situation, recently passed statutes and judicial and administrative decisions have clarified the law in this area.

Government Code §20969.3 requires a CalPERS member, who is terminated (fired) on or after January 1, 2017, and is subsequently reinstated pursuant to an administrative or judicial proceeding, to also be reinstated back into PERS, *with all retirement benefits that the member otherwise would have accrued*. Contributions to CalPERS in the amount that would have been contributed, either by the member or on behalf of the member by the employer, must be made for any period salary is awarded, and the member will

receive service credit for that period.

Government Code §21198 provides that if a CalPERS member *retires* after being fired and is subsequently reinstated to their former position pursuant to an administrative or judicial proceeding, the member shall also be reinstated into CalPERS - effective the date any salary is to be paid. Any amount paid by CalPERS to the person during retirement, if for the same period salary is awarded, must be repaid by the member to CalPERS.

For State of California employees, Government Code §19584 provides that if there is a State Personnel Board ruling to reinstate the employee to his/her former position following being fired, there must also be a *reinstatement of all benefits, including retirement*, for that period of time the Board finds the adverse action was improperly in effect.

In a Precedential Decision, *In re Kareemah*

*M. Bradford*, 17-01, the CalPERS Board of Administration rejected the argument that an employee, who was wrongfully terminated **prior** to January 1, 2017, could not receive service credit for the time period she received retroactive salary payments, because Government Code §20969.3 only applied to those employees who were terminated on or after that date. The Board concluded that, while §20969.3 did not apply, neither did it prohibit CalPERS from granting service credits to an employee who was wrongfully terminated prior to January 1, 2017. The Board reviewed prior law and concluded that a period of wrongful termination is akin to a paid leave of absence during which an employee is excused from work, ruling that "the retroactive payment awarded to her for the period of her wrong[ful] [ ] termination satisfies the definition of 'compensation earnable' and therefore reportable to CalPERS for retirement purposes." *When the*

<sup>1</sup> Since the client was a CalPERS member, this Training Bulletin may be of interest to an employee of an agency which contracts with PERS for retirement benefits for its eligible employees.





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issue is retirement benefits, any person wrongfully terminated must now be treated the same, no matter what date they were fired.


In *Byrd v. State Personnel Bd.* (2019) 36 Cal.App.5th 899, the Court noted that where an employee has been fired and later reinstated pursuant to an administrative or judicial proceeding, Government Code §21198 allows CalPERS to return the parties

to the status quo. The Board should generally attempt to accomplish this by reinstating employees to their prior job classifications and ensuring that "the pension benefits are applied in the same manner as if the employees had not been involuntarily terminated."

**So, the answer is "yes" - an employee may appeal, even if they retire following their termination, with the understanding that**

**they may have to repay CalPERS the amount paid to them during the retirement period, should they be awarded back pay for that same period.**

Stay Safe!

**Robert Rabe** is Stone Busailah, LLP's writs and appeals specialist. His 41 years practicing law include 16 years as a Barrister, Supreme Court of England and Wales, practicing in London, England. 

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## Health Beat

/ by Jennifer Lincicum / ALADS Insurance Consultant

# ANTHEM BLUE CROSS

## Sydney Care App

ALADS Insurance Consultant  
**Jennifer Lincicum**



**A**ll members and dependents enrolled in an ALADS Anthem Blue Cross medical plan have access to Anthem's Sydney Care mobile app, at no cost to members. Sydney Care is available to help members assess their risk for COVID-19 and connect with a doctor if needed. The app provides enrolled members and dependents with quick and easy access to their health questions – without leaving home!

After downloading and registering on Sydney Care, you will be able to quickly check your symptoms and connect to care. A no cost Coronavirus (COVID-19) Risk Assessment is embedded in Sydney Care. If you need medical care after you assess your symptoms, the app will connect you to a doctor through a LiveHealth Online video session or Virtual Care text session. Members and dependents can

also instantly locate a nearby COVID-19 testing facility with Anthem's locator tool on the Sydney Care app.

The Sydney Care Coronavirus Risk Assessment is always free; please note any virtual text sessions through Sydney Care are available at \$19 per session. However, LiveHealth Online visits are available for all enrolled ALADS Anthem Blue Cross members and dependents at no member cost share through September 30, 2020.

### How to Use the Sydney Care App

If you are not feeling well, you can assess your symptoms on Sydney Care through the following steps:

1. Download the Sydney Care mobile app from the App Store or Google Play
2. Follow the instructions to create an account
  - a. You will be required to enter your name, gender and year of birth
  - b. A 6-digit security code will be sent to your email address
  - c. Create a password and accept the HIPAA privacy terms and conditions
3. Answer questions about your symptoms through the Sydney Care search bar and by using the free Coronavirus Risk Assessment
4. As needed, access Anthem Blue Cross telehealth services to connect with a doctor

- a. Please be sure to enter your ALADS Anthem Blue Cross health plan information
- b. Virtual text sessions are available through Sydney Care for \$19 per session
- c. LiveHealth Online visits are available for all ALADS Anthem Blue Cross members and enrolled dependents at no member cost through September 30, 2020

The doctor you see through your telehealth visit can evaluate your symptoms, help you understand whether you are at risk for COVID-19, and let you know whether you need to visit a local health care provider for COVID-19 testing. If you are looking for a quick and convenient alternative to assess your symptoms for COVID-19 and other health conditions, consider registering today via the Anthem Sydney Care mobile app.

\* \* \*

*Through your Anthem Blue Cross CaliforniaCare HMO plan and Anthem Blue Cross PPO plan, you and your family have access to the finest doctors and one of the most extensive networks in the state. With CaliforniaCare, you can build a relationship with your own network doctor with almost all benefits including doctor visits, hospitalization, well baby care, surgery, eye and hearing exams, for little or no out-of-pocket cost. With the Anthem Blue Cross PPO plan, you have the freedom to choose medical services from within Anthem Blue Cross' expansive PPO provider network, or from a non-PPO provider.*



/ by **Dr. Ron Holman** / President of The Holman Group: Managed Behavioral Health Care Services

**The Holman Group**

# Patience

President of The Holman Group  
**Dr. Ron Holman**



**C** OVID-19 has continued to present challenges. Whether it is fear of getting sick or sick of the confinement, many people are experiencing increased levels of anxiety, depression, loneliness, and irritability. We all want a sense of control which seems to be just beyond our reach. Tempers flare more often, and we may find ourselves arguing with family, friends, and colleagues. It is getting harder to hold on to our patience. One way to feel more in control is to cultivate patience. One technique includes practicing mindfulness which can help us stay in the present and assist in regulating emotions. Another method is movement which allows us to burn up excess energy and helps relax the mind. Meditation is the next level to assist as it helps slow down the mind and our

impulses. Patience takes practice and it may seem harder during these challenging times.

*As part of your Anthem Blue Cross benefit, ALADS has contracted with The Holman Group to provide a confidential program and counseling services for you and your family members. Counseling sessions are strictly confidential and provided in a therapeutically supportive environment to help establish peace of mind. Issues are discussed, feelings expressed, and resolutions explored. To schedule an appointment or to talk with a licensed counselor, just call 1-800-321-2843. A Care Access Specialist will help get you into the right hands.*

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## LiveHealth Online



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Monday-Friday from 8:30 am to 5:00 pm

Closed 12:00 pm to 12:45 pm for lunch

ALADS Benefit Service Center

**Scott Freeman**



**D**uring this difficult and uncertain period, where Physical Separation and Social Distancing is being mandated, it might be that your physician is not scheduling in-person consultations, unless you have an emergency or showing symptoms of the COVID-19 virus. While we understand the need to take precautions, we also understand that you may still have a need to consult with a physician for other non-life threatening illnesses. We wanted to remind you that ALADS has you covered with their Anthem Blue Cross **LiveHealth Online** benefit.

**LiveHealth Online** is easy to use and can be accessed through your smartphone, tablet or computer with a webcam. To sign up, download the app or visit [livehealthonline.com](http://livehealthonline.com).

You will need to enter:

- Name
- Date of Birth
- Gender
- State
- Zip Code
- E-mail address
- Insurance ID number
- Credit Card info

Once enrolled, you can access care at any time. Doctors are available days, nights, weekends and holidays. Usually, the wait time to connect to a doctor is 10 minutes or less. However, you may experience longer wait times due to COVID-19. The health providers are board certified and can send a prescription to a pharmacy, if needed. The co-pay for the treatment is the same as what you would pay for an in-person visit to your doctor's office. The same is true for prescription co-pays. With **LiveHealth Online**, you can consult with a doctor for non-life threatening health

concerns such as:

- Cold and flu symptoms
- Allergies
- Sinus infections

If you are not sure what to do, you can always connect with a doctor to seek guidance. The benefits of using this innovative way of obtaining health care are:

- Available from anywhere
- No need to venture outside
- Available anytime
- Access to in-network board-certified physicians
- Costs are at same as in-person visits or less
- Secure and easy to use

Please note that if you use **LiveHealth Online** due to COVID-19 symptoms, enrolled ALADS Anthem Blue Cross members and dependents may access this benefit at no cost until September 30, 2020. Having Anthem's in-network doctors at your fingertips is a great option. You can continue with your day while you wait to be connected with a doctor. Best of all, you have the ability to

choose your provider by browsing through the physician profiles. If you do not have a preference, you can ask for the first available

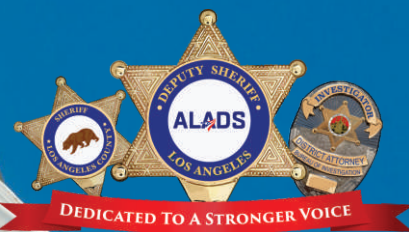


physician to call you back. Also, there are no claim forms to submit. As your ALADS Benefit Specialists, we are here to help. If you have any questions regarding Anthem's **LiveHealth Online** or any other ALADS benefits plans, please call us. We are happy to speak with you or your loved ones. Please call us toll-free at (800) 842-6635.





## Contract City Highlight



# CORONAVIRUS AND LASD CONTRACT CITIES:

## Rancho Palos Verdes Councilman Eric Alegria Offers His Views on the Fallout in His Community



*Rancho Palos Verdes Mayor Pro Tem  
Eric Alegria*

**R**ancho Palos Verdes Mayor Pro Tem Eric Alegria was first elected to serve on the City Council in 2017. Since then, he's learned volumes about managing the interests of a relatively small community on the peninsula. But earlier this year, he and elected officials everywhere received an entirely new education on how to manage during a pandemic.

In Los Angeles County, the total number of diagnosed cases surpassed 50,000 in late May. And more than 2,300 fatalities were attributed to the coronavirus by early June.

Alegria says it first became clear that every community had a crisis on their hands when reports indicated they had coronavirus infections in their City. "It became clear that the coronavirus was a City issue when we heard our first few positive cases in the City. This made it clear that this was not just a County or regional level issue, but that it was going to have a more direct impact on the Palos Verdes Peninsula."

Alegria assessed the work in his community as just beginning, and the budget forecasts could bring even worse news. "There was certainly an immediate impact to the residents of our City with the activities leading up to and during the safer at home order," Alegria said. "As we near the end of that [stay at home] order, it is also apparent that our work has just begun. For example, our Council is going through a budget process now that has incorporated the short term financial impact of COVID-19. These new forecasts have forced our City to significantly prioritize our City's operating and capital budgets for not just the

next fiscal cycle but for years to come."

Mayor Pro Tem Alegria adds that, if anyone is looking for a 'silver lining' to all of the turmoil, it could be the broad education on how to use technology to solve problems. "...One distinct positive outcome for the impact is that our City has learned a lot about more effective utilization of providing public services through virtual mediums and technology and we plan to carry those learnings into future service delivery and public participation efforts."

As the father of four young children, and a business owner, Alegria says the pandemic has impacted virtually every aspect of his life. "This virus has challenged our very way of life, but it has also brought out the best in us and reminded us of our shared humanity. It is now time to begin to recover together."

Reports from County administrators and virtually every other contract city indicate that Alegria's assessment is not unique. Public agency budgets will be severely impacted in the months ahead as officials calculate the impact on sales and property taxes. More information about Rancho Palos Verdes community efforts related to the coronavirus is available at [www.rpvca.gov](http://www.rpvca.gov).





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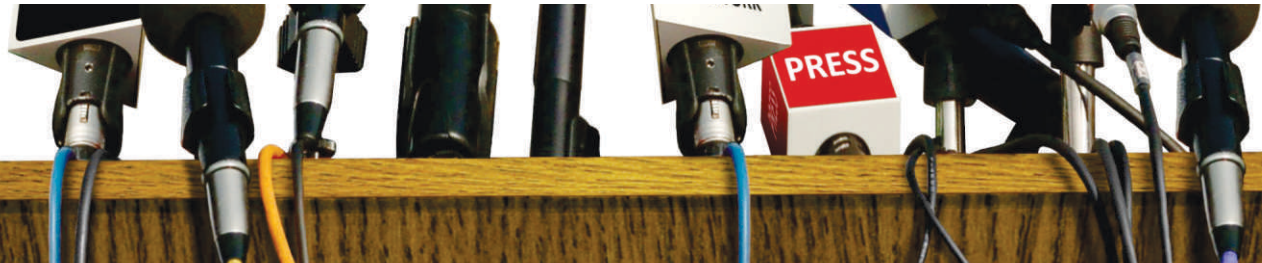
## ALADS Members Retiring

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Frank Barragan	Julius Montgomery	James Velasquez
Michael Boersma	Luis Mrad	Renaye Harrison
Shawn Bryant	Timothy Mulder	Joseph Acevedo
Allison Byrne	Mark Olmedo	Scott Edge
Robert Claus	Elena Ornelas	William Evans
Gary Coffman	Thomas Parrish	Manuel Flores Jr
John Cosentino	Amadeus Pittman	Dexter Jones
Michael Dlugos	Alvin Poff	Randall Levinson
Christopher Faulkner	Steven Pomeroy	Robert Smoldt
David Gamboa	Walter Ringer Jr.	Marion Tucker
James Garcia	Angel Rodriguez	John Wolak Jr.
Gwen Gardner	Gricel Saldana	Kenneth McWaid
Philip Geiser	John Sanchez	James Wolak
Federico Gonzalez	Larry Sanders	Robert Mittelbrun
Francisco Gutierrez	Kenneth Saylor	Michael Bayer
Sheila Haywood	Rodolfo Serrato	Aleshia Costello
Christopher Hicks	Dennis Skeel	James Doherty
John Huerta	Randall Slate	Gary Henson
Salvador Jasso	Ian Stade	
Virginia Kennedy	Randall Steyer	





## Coronavirus Press Conference



**O**n Wednesday, May 6, 2020, ALADS Vice President James Wheeler joined other COVID-19 frontline union workers at a press conference organized by SEIU 721 outside of Trump National Golf Club in Palos Verdes. Each speaker discussed the importance of the federal government to keep the local and state governments well-funded during the COVID-19 pandemic to protect the frontline workers' jobs and services.

Wheeler pointed out the dire need for the federal government to supply at least \$500 billion in funding. If the federal government does not provide the funding, Wheeler stated, "Sadly, now, these same public safety workers who are being celebrated as heroes are faced with the possibility of having their lives upended due to no fault of their own. The city and county of Los Angeles are both projecting massive revenue losses because of this disease. Furloughs, staff reductions, and other contingency plans are already being discussed." A couple of weeks after the press conference, Governor Gavin Newsom also stated in an interview on CNN's State of the Union program that if California does not get the proper funding from the federal government, first responders will be the first to go. At the moment, a stimulus bill called the HEROES Act passed the House and is sitting on the Senate's desk for approval. ALADS hopes the federal government will find common ground to pass the stimulus bill to help fund state and local governments. If not, ALADS is here to fight for you.





# REQUEST FOR CONTRIBUTION TO THE ALADS C.A.R.E.S. FOUNDATION

## COPS AND RELATIVES EMERGENCY SUPPORT

When tragedy strikes a deputy sheriff or district attorney investigator – whether on- or off-duty – it affects all of us. Unfailingly, we come together to the aid of our brothers and sisters in need. To assist with this worthy endeavor, we at ALADS created the ALADS C.A.R.E.S. (Cops and Relatives Emergency Support) Foundation – a 501(c)(3) non-profit corporation that is funded by donations from deputy sheriffs, district attorney investigators, ALADS, and other fundraising efforts. The ALADS C.A.R.E.S. Foundation gives us the ability to lend prompt support to a deputy or district attorney investigator in an emergency situation. However, the support provided by the ALADS C.A.R.E.S. Foundation does not stop there – it allows us to assist all members of law enforcement in the greater Los Angeles area, as well as their families.

If you are aware of such a situation, we would urge you to report it to the ALADS C.A.R.E.S. Foundation at 323-213-4005. If the request meets certain criteria, the ALADS C.A.R.E.S. Foundation can provide much needed support and funds to an injured law enforcement officer or their family. While we can't prevent every tragedy, the ALADS C.A.R.E.S. Foundation can help to ease the burden on law enforcement and their families when dealing with such tragic situations.

For more information about the ALADS C.A.R.E.S. Foundation, please go to <http://www.alads.org/Home/Cares>

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*Raising Spirits One Smile at a Time!*

The Sheriff's Youth Foundation in partnership with the Purist Group, ALADS, PPOA, CHP, and the LA County Fire Department will be holding a Social Distancing "Drive-Thru" Celebration and TOY DRIVE to gather toys for homeless children, and kids with special needs and disabilities.


For information on donating to the Sheriff's Youth Foundation, please login to: [sheriffyouthfoundation.org](http://sheriffyouthfoundation.org)


May 16, 2020

ALADS President Ron Hernandez delivered toys to the Helen Evans Home in Hacienda Heights as part of the Sheriff Youth's Foundation who partnered with automotive enthusiasts the Purist Group for a support rally for kids in need. The socially distanced "Drive-Thru" celebration and toy drive was created to gather toys for homeless children and kids with special needs and disabilities.













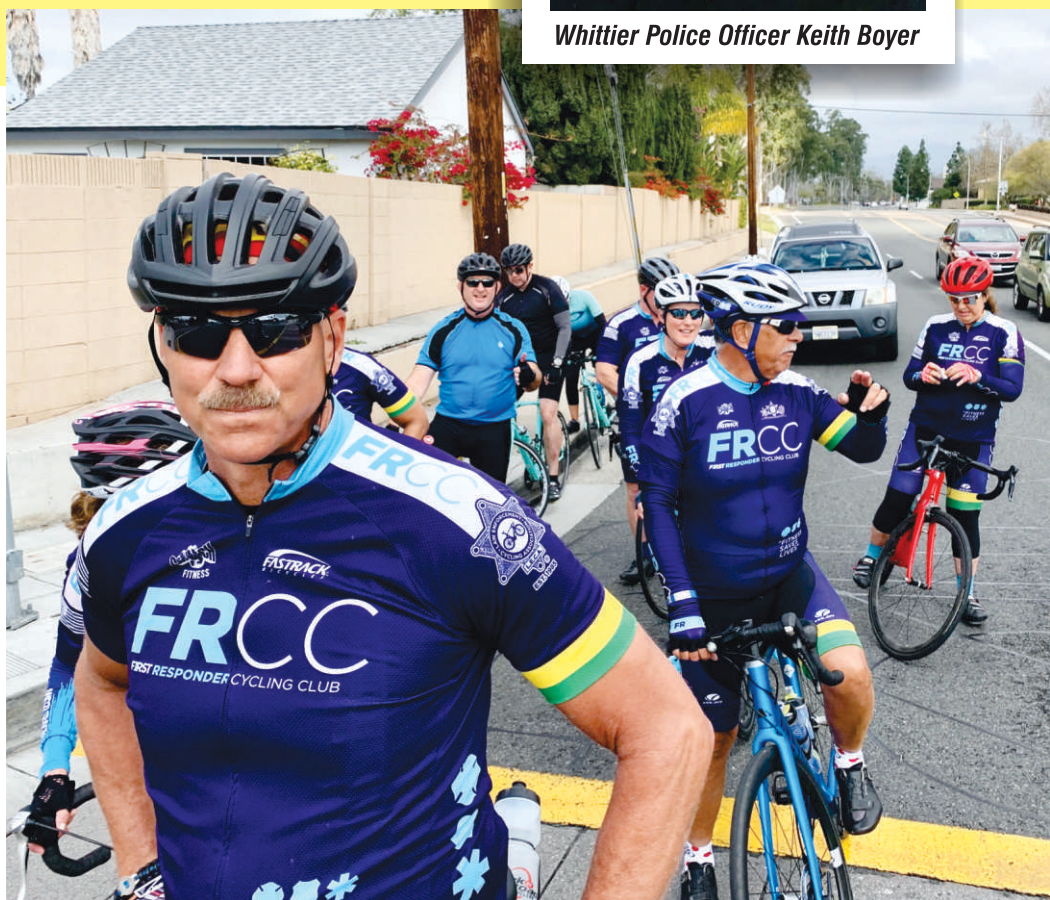
# A Community of Cyclists

**Former ALADS Director Mark Claahsen Cycles in Memory of Whittier Police Officer Keith Boyer, Who was Killed in the Line of Duty on February 20, 2017 After Responding to a Traffic Accident**



*Whittier Police Officer Keith Boyer*

Officer Boyer (53) and two others were called to investigate the accident at the intersection of Colima Road and Mar Vista Street when one of the motorists involved pulled out a gun and began shooting. Boyer, a 27-year veteran on the Whittier Police Department and who was considering retiring, was taken to UC Irvine Medical Center where he succumbed to his injuries.



LASD Deputy Mark Claahsen escorted Officer Boyer's ambulance as it passed through the city of La Mirada to UCI Medical Center. After the passing of Officer Boyer, Deputy Claahsen assisted in making arrangements for the Whittier Police Department and all of the Orange County agencies to escort Officer

Boyer's body to the Orange County morgue. Not a day goes by that Deputy Claahsen hasn't thought of Officer Boyer and his family.

Claahsen retired from the Sheriff's Department in 2019. However, over the past two years, Claahsen has been cycling in honor and

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remembrance of Officer Keith Boyer, and he continues to be a board member of the California Peace Officers' Memorial Foundation honoring fallen officers in the State of California. Claahsen's Specialized Roubaix bicycle is fitted with a Thin Blue Line across the top of the frame and has Officer Boyer's initials on the front of the neck. Wherever Mark rides, he rides in remembrance of Officer Boyer.

To help receive support through a community of cyclists and first responders, Mark joined the First Responder Cycling Club (FRCC). The FRCC was established in 2016 and is part of the Law



Enforcement Cycling Association (LECA), which began in 1985 as a recreational cycling club for Los Angeles County deputy sheriffs. Today the FRCC has approximately 200 members here in California and 50 in Florida.

Greg "Sarge" Christopherson, President of the FRCC / LECA and a Los Angeles County Sheriff's Department Sergeant (retired) states of the FRCC:

"The Public Safety Community—our First Responders—have a difficult and often dangerous duty. In most situations, they roll-in while others run-away! The stresses upon them, their families, and their supporters are tremendous. The FRCC hopes to create an environment that provides stress-reduction, encourages healthy habits, and increases community support for those who protect us. We offer membership to anyone who shares our belief that 'FITNESS SAVES LIVES'™ and who wishes to demonstrate their support. After all, nearly everyone can ride a bike—and cycling can be a lifesaver!"

The FRCC educates, motivates and assists its members by conducting cycling events, instructional seminars and meetings, and has created a community of support.

To help support one another, FRCC members use the Strava app to share the mileage they put in on their bicycles. Mark did his first-century ride (100 miles) on Saturday, May 23<sup>rd</sup> and he dedicated it to all first responders.

ALADS is a major sponsor of the FRCC, which



has numerous current and retired members from LASD.

If you would like to join the First Responders Cycling Club, go to their website at <https://frcycling.org/>.







# Keep An Eye Out for Proposition 20 This November

**D**omestic violence, sex trafficking of a child, rape of an unconscious person, hate crimes, and a whole host of other offenses are not legally considered violent. As a result, criminals are often eligible for early release. That all can change this November with Proposition 20, formally known as Keep California Safe.

In 2016, an idea was born to help modify three older measures (Prop. 47, Prop. 57 and AB 109), which allowed, unbeknownst to most of the general public, for a lighter classification of such crimes.

Assemblyman Jim Cooper, along with Michael Ziegler, executive director for Proposition 20, are pitching their measure up and down the state with a heavy focus in Los Angeles.

In an interview with the *Dispatcher*, both Cooper and Ziegler tell you, in their own words, why Prop. 20 is so essential.

**QUESTION:** Why is this proposition so important to you?

**COOPER:** Public safety is important and near and dear to my heart. I was aware that there were some issues with Prop. 47, Prop. 57, and AB 109 that had to be fixed. Some of these measures that were passed were problematic.

**QUESTION:** Why couldn't you work on these problematic measures on the Assembly floor?

**COOPER:** I tried to run some bills through committees in my own house. Common sense and good policy bills ... targeting serious violent crime, targeting the theft piece. I could not get my bills heard in the Assembly, so I decided to bypass the legislature and take it straight to the voters. The legislature has no control over it.

**QUESTION:** Let's talk about Proposition 47. What did that do, or instead, NOT do?

**COOPER:** Voters don't know. Prop. 47 was called Safe Neighborhoods and School Act, and it was going to get low-level offenders out of jail and prison. Well, it did a hell of a lot more than that. Number One, if you are arrested for a felony in California, when they book you in



Jim Cooper  
Assemblyman



Michael Ziegler  
Executive Director

county jail, they swab your cheek for DNA. It has always been that way. But with Prop. 47, they took seven crime categories – they are all drug crimes and theft crimes – and reduced them to a misdemeanor. So, what that meant was you were no longer getting those DNA samples. So, because of that, the cold case hits dropped.

**QUESTION:** So how does Proposition 20 modify that?

**COOPER:** Before, if you stole over \$450, it was a felony. What they did, they raised that amount to \$950. And the way the law was written, you don't go to jail. All it is is a citation. So, you can steal from 20 stores in one day, and as long as you have stolen less than \$950, you are not going to jail. If anything happens at all, you will get a ticket. And the public never knew about that. And don't forget, all of these costs are being passed on to the public.

**ZIEGLER:** Prior to Prop. 47, if you have multiple theft convictions, you can eventually get arrested for a felony because you are a serial thief. Prop. 20 brings that back. And after your third conviction, if the theft is over \$250, it qualifies for a felony.

**QUESTION:** So, with Prop. 20, that thief can now be swabbed for his or her DNA?

**COOPER:** Yes.

**QUESTION:** Proposition 57 was designed to allow non-violent criminals early release for good behavior. How does Proposition 20 change that?

**ZIEGLER:** You may still be able to get out early

for a non-violent felony, we're just adding crimes to what we think should be considered violent. If the crime is violent, the offender can't get out early.

## UNDER PROPOSITION 20:

Certain crimes would be reclassified from non-violent to violent. Those include human trafficking of a child, abduction of a minor for prostitution, rape of an unconscious person, felony domestic violence, felony elder or dependent adult abuse, hate crimes, serial arson, solicitation to commit murder, and many more.

**QUESTION:** And then there's AB 109, which passed in 2011. Why modify it now?

**ZIEGLER:** AB 109 moved a lot of so-called non-violent offenders from state prison to county jail, but it also relaxed the post-release community service program. It really changed parole. Prior to AB 109, if you violated your parole, you could just go back to prison for 90 days for a parole violation. Well, it did away with all that. There's no accountability when someone violates parole. What Proposition 20 does, on your third violation, it doesn't send you back to prison, but you have to go see a judge and let the judge decide if he wants to send you back to prison, county jail or restitute your parole conditions.

**QUESTION:** Think about the folks who will be reading the *Dispatcher*. Any last thoughts?

**COOPER:** It's time for a change! Why are we protecting people who are doing these crimes? Like I said, we're not trying to put everybody in jail. We're just trying to change the narrative and protect our weakest and most vulnerable, and this crime affects women and children.

**ZIEGLER:** The Keep California Safe Act, now Proposition 20, has common-sense changes to Propositions 47 and 57 that restore safety for all of us. It is clear that our message resonates with the voters in Los Angeles and the rest of the State when our story of crime victims is told. Thanks to ALADS' grassroots and financial support, we will have a chance for significant public safety reform in November.

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June 24, 2020

Ron Hernandez, President  
ALADS  
2 Cupania Circle  
Monterey Park, CA 91755

Dear Ron,

On behalf of California's hundreds of thousands of crime victims and survivors, we'd like to thank you for your ongoing support of the Reducing Crime and Keeping California Safe Act of 2020.

With your help and the help of the voters, this November California will finally classify rape of an unconscious person, sex trafficking of a child, hate crimes, domestic violence and 18 other terrible crimes as "violent" — and no longer allow early release for those who commit them.

It will also increase accountability for serial theft and reform parole policies. And it will restore DNA collection for certain misdemeanors to help solve more serious crimes — like murder and rape — or exonerate those wrongly accused.

It's unfortunate that some are taking advantage of the current fear and unrest in our state to blatantly misrepresent the details of this initiative to further their own agenda. This initiative has nothing to do with prisons, and everything to do with protecting victims.

Please know that as we stand by California's victims, we will also stand by you — as a friend of victims — in this fight. Please let us know if we can ever do anything to help. In the meantime, stay safe and stay strong.

Nina Salarno Besselman  
President, Crime Victims United  
Proponent, Reducing Crime  
and Keeping California Safe Act

Patricia Wenskunas  
Founder/CEO  
Crime Survivors, Inc./PAC

## ALADS in ACTION

# ALADS Determines How to Provide Excellent Service During the COVID-19 Pandemic



**A**s the COVID-19 pandemic began to spread to the United States, ALADS became aware that the virus would affect our members and staff. Quick action would be needed to minimize its impact. The Board of Directors swiftly came up with a plan to allow ALADS to continue to provide the best services to members while the government forced organizations and businesses to close throughout the nation.

ALADS implemented a work from home plan to keep most of the staff out of the office as much as possible while continuing to provide services. ALADS staff would only be allowed into the office as necessary. Staff members were provided software to easily share documents, make conference calls and continue to provide the best services to members.



## ALADS Expands Phone Hours

To better serve members, ALADS expanded its phone hours by 40 percent. We have also added phone service from 8 AM to 12:30 PM on Saturdays. As always, our after-hours call-in service is available for critical incidents and now for all COVID-19 issues.

## ALADS Dedicates Staff to COVID-19 Team

ALADS rolled out a specialized "ALADS COVID-19 Information Team" (ACIT) along with a dedicated toll-free information line and email address for all COVID-19 related inquiries by ALADS membership.

The ALADS COVID-19 Team has been available to answer calls at 1-888-228-3450 from 7:00 AM to 6:00 PM, Monday through Friday. Calls received after-hours are sent to the answering service.

We created a database of COVID-19 frequently asked questions and dedicated a specific email address Covid19info@alads.org for members to email regarding their COVID-19 concerns. All this information and more is available at a dedicated section of our ALADS website at [www.alads.org](http://www.alads.org).

## ALADS Reaches Out to Fast Food Companies to Support First Responders

ALADS reached out to several fast food companies to ask if they would show their support for first responders by giving them a break on meals. Of the companies we contacted, McDonald's stepped up and offered free breakfast to first responders. ALADS was **instrumental** in working with McDonald's, so that first responders throughout California were able to receive free breakfasts. Thank you, McDonald's!

## ALADS in ACTION

- ALADS expanded phone hours 40%
- The ALADS COVID-19 Information Team (ACIT): 1-888-228-3450 from 7:00 AM to 6:00 PM, Monday through Friday
- ALADS COVID-19 FAQ Database in dedicated section on [www.alads.org](http://www.alads.org)
- ALADS arranged for free breakfasts to first responders in cooperation with McDonald's



## ALADS in ACTION

## ALADS Determines How to Provide Excellent Service During the COVID-19 Pandemic

### ALADS Provides Hand Sanitizers and Face Masks for Deputies and District Attorney Investigators to Take Back to Their Assignments

As the pandemic spread throughout the United States, hand sanitizer and face masks became almost impossible to get items. ALADS reached out to its suppliers to provide hand sanitizers. ALADS President Ron Hernandez and Vice President James Wheeler personally went out to assignments to deliver

bottles of hand sanitizer.

Approximately, a week later, ALADS Vice President James Wheeler took the ALADS truck to pick up face masks that had been secured with the assistance of Assemblyman Phillip Chen. On hand to help load up the truck were Assemblyman Phillip Chen and President of Condor Outdoor Products, Spencer Tien. Thank you to both Assemblyman Phillip Chen and Spencer Tien for their support during this pandemic!



ALADS sent out email blasts to notify members that the face masks were available and directions of how to make reservations for pick up. ALADS Staff Member Sarah Evans fielded the requests for hand sanitizer and face masks and ALADS President Ron Hernandez, Vice President James Wheeler

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## ALADS in ACTION

# ALADS Determines How to Provide Excellent Service During the COVID-19 Pandemic



and Executive Director Derek Hsieh took turns distributing the face mask and hand sanitizer from the rear of the ALADS Facility. We posted photos on our Facebook and Instagram pages to much fanfare.

## ALADS Adds COVID-19 Section to the ALADS App

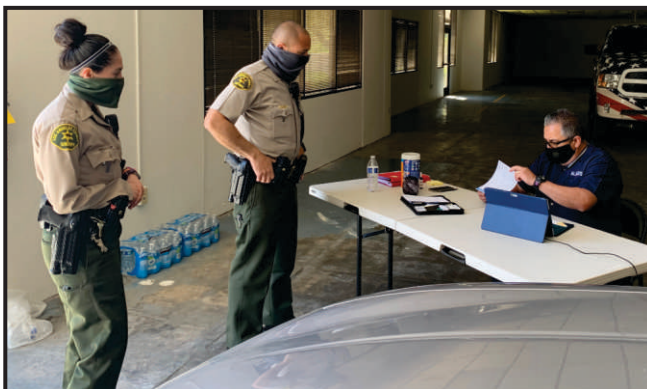
Similar to the ALADS website, ALADS added a specific COVID-19 section to the ALADS app where members can view previously sent email blasts regarding COVID-19.

## ALADS Anthem Blue Cross Steps Up Their Services to Keep Up With COVID-19

The ALADS Anthem Blue Cross Plans worked to provide benefits during the crisis. Benefits are still available.

## ALADS Anthem Blue Cross Offers Testing to Stem the Spread of the Coronavirus

Anthem Blue Cross continues to offer enrolled ALADS members and their dependents COVID-19 testing, **including the antibody (serology) test**, and treatment at no member cost share until December 31, 2020. Please note, your COVID-19 testing or treatment must be medically necessary as authorized by your doctor and received at an FDA/CDC-approved facility.



Anthem Blue Cross continues to offer enrolled ALADS members and their dependents COVID-19 testing, **including the antibody (serology) test**, and treatment at no member cost share until **December 31, 2020**

## LiveHealth Online Offers 24/7 Remote Services With Doctors and Nurses

Members and their families enrolled in an ALADS Anthem Blue Cross also continue to have access to LiveHealth Online visits, available at no member cost share. Visits to LiveHealth Online doctors are available 24/7, at no cost until September 30, 2020. In addition, Anthem Blue Cross offers enrolled members even more remote services via their 24/7 NurseLine and Sydney Care app, which also

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## ALADS in ACTION

## ALADS Determines How to Provide Excellent Service During the COVID-19 Pandemic

includes a no-cost Coronavirus Risk Assessment and the ability to locate a COVID-19 testing facility.

### Flexible prescription refills offered during COVID-19


The ALADS Anthem Blue Cross plans have also relaxed early prescription refill limits during the COVID-19 pandemic, where permitted, allowing for members and their dependents to refill a 30-day supply of most maintenance medications early.

If appropriate, members may also fill a 90-day supply of prescriptions through Anthem's home delivery program.

### The Holman Group helps members coping with the added stress of COVID-19

For any members and their families struggling with mental health issues during the COVID-19 pandemic, please know that The Holman Group's managed behavioral health services are available to

help. The Holman Group is here to support you and your family and help you navigate through these difficult times. ALADS is proud to continue offering our members and their families with the most comprehensive and benefits available, as well as support and access to resources during the COVID-19 pandemic.

ALADS will continue to provide excellent services and benefits to its members. 



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**JACKIE LACEY**  
**DISTRICT ATTORNEY**

# ONE MINUTE BRIEF

**NUMBER:** 2020-12   **DATE:** 04-06-20   **BY:** Devallis Rutledge   **TOPIC:** Plate-hit Vehicle Stop

## **ISSUE:** Does a plate-check “hit” justify a vehicle stop to investigate?

Patrol officers routinely run license plates for wants and warrants, for a variety of reasons. Running a plate is **not** a Fourth Amendment “search,” and needs no objective justification. See 1MB 2008-12. If a records check reveals a reason to investigate further, this will often amount to reasonable suspicion for a stop. See 1MB 2009-05. *See, e.g., In re William J.* (1985) 171 Cal.App.3d 72 (recognized passenger had an outstanding arrest warrant); *People v. Dominguez* (1987) 194 Cal.App.3d 1315 (dispatch said the possible driver had an outstanding warrant); and *People v. Williams* (1995) 33 Cal.App.4th 467 (random check resulted in notice of a warrant for the registered owner). The US Supreme Court has now affirmed that a plate-check hit can constitute reasonable suspicion for a stop.

- A Kansas deputy sheriff ran a rolling plate-check on a vehicle registered to Charles Glover and was notified that Glover’s license was revoked. The deputy stopped the vehicle, confirmed that Glover was driving, and arrested him. Glover moved to suppress the evidence resulting from the stop, and his case was ultimately reviewed by the US Supreme Court, which held (8-1) that the stop was justified.

- First, the court repeated its earlier statements about the **differences** between “reasonable suspicion” and “probable cause” (illustrating once again why it is **legally incorrect** to use the **discredited phrase**, “PC for the stop”—see 1MB 2015-12):

*“[R]easonable suspicion ... is considerably less than proof of wrongdoing by a preponderance of the evidence, and obviously less than is necessary for probable cause. Because it is a less demanding standard, reasonable suspicion can be established with information that is different in **quantity** or **content** than that required to establish probable cause. The standard depends on the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act. Courts ... must permit officers to make **commonsense judgments and inferences** about human behavior. ... [A]n officer **need not rule out the possibility of innocent conduct**. ... The reasonable suspicion inquiry falls **considerably short of 51% accuracy**.”* *Kansas v. Glover* (2020) 589 US \_\_\_, No. 18-556, slip opn. at 3, 4.

- Next, the court ruled that an inference that a registered owner is driving a vehicle is a reasonable inference:

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*"The fact that the registered owner of a vehicle is not always the driver of the vehicle does not negate the reasonableness of [the deputy's] inference. ... **Drivers with revoked licenses frequently continue to drive** and therefore pose safety risks to other motorists and pedestrians. ... The inference that the driver of a car is its registered owner does not require any specialized training; rather, it is a **reasonable inference** made by ordinary people on a daily basis. ... [O]fficers, like jurors, may rely on **probabilities** in the reasonable suspicion context. ... [The deputy] drew an entirely **reasonable inference** that Glover was driving while his license was revoked." *Id.*, slip opn. at 4, 6, 8, 9.*

- Finally, the court cautioned that *"the presence of additional facts might dispel reasonable suspicion."* *Id.*, slip opn. at 9. For example, if an occupant's visible characteristics did not appear to match the description of the possible suspect, a stop would not be justified.

- As a back-up justification, officers are always well-advised to watch for **moving** and **equipment** violations, also. *Whren v. US* (1996) 517 US 806, 813. *"The traffic laws are sufficiently comprehensive that almost all drivers violate at least one whenever they are on the road."* *US v. Magallon-Lopez* (9th Cir. 2016) 817 F.3d 671, 676 (conc. opn.). See 1MBs 2009-05, 2018-21.

**BOTTOM LINE:** Unless undermined by other information, reasonable suspicion for a vehicle stop may be based on reliable information that an occupant is wanted or may be involved in criminal activity.

(Emphases added and citations omitted in quoted material.)

This information was current as of publication date. It is not intended as legal advice. It is recommended that readers check for subsequent developments, and consult legal advisors to ensure currency after publication. Local policies and procedures regarding application should be observed.

# ONE MINUTE BRIEF

**NUMBER:** 2020-17   **DATE:** 05-14-20   **BY:** Devallis Rutledge   **TOPIC:** *Miranda* Waiver Validity

**ISSUE:** What are the requirements for a valid *Miranda* waiver?

Obtaining a fully-admissible statement from a suspect via custodial police interrogation usually requires advice as to so-called "*Miranda* rights" (but see 1MB 2019-14, discussing four exceptions). *"The defendant may waive effectuation of these rights, provided the waiver is made [1] voluntarily, [2] knowingly and [3] intelligently."* *Miranda v. Arizona* (1966) 384 US 436, 444. What do these three separate requirements mean?

- "Voluntary."** *"The voluntariness of a [Miranda] waiver ... has always depended on the absence of police overreaching...."* *Colorado v. Connelly* (1986) 479 US 157, 170. *"[A]ny evidence that the accused was threatened, tricked or cajoled into a waiver will, of course, show that the accused did not voluntarily waive his privilege."* *Miranda*, at 476.

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- Therefore, a *Miranda* waiver is involuntary if coerced by police **threats**. *People v. Esqueda* (1993) 17 Cal.App.4th 1450, 1484 and fn. 20 (involuntary waiver where officers threatened the suspect with greater charges and unrelenting interrogation to obtain a waiver).

- Waiver resulting from police **tricks** is involuntary. *People v. Superior Court* (Keithley) (1975) 13 Cal.3d 406, 409 (falsely telling the suspect his fingerprint was found at the crime scene, **before** getting a waiver). However, **after** a **voluntary waiver** is obtained, interrogators may use plausible deception to obtain a **voluntary statement**. See 1MB 2007-03.

- Use of pre-waiver **"cajoling"** to get a waiver may make the waiver involuntary. *People v. Honeycutt* (1977) 20 Cal.3d 150, 161 ("lever softening-up" by extensive pre-advisement "ingratiating conversation" with the suspect while denigrating the victim rendered the subsequent waiver involuntary).

- **"Knowing."** For a waiver to have been "knowingly" made, *"the waiver must have been made with a full awareness of both the nature of the right being abandoned ['silence and counsel'] and the consequences of the decision to abandon it ['may be used against you']"*. *Moran v. Burbine* (1986) 475 US 412, 421.

This requirement is routinely satisfied by **reading** the advisement of rights in a language the suspect comprehends, **asking whether he understands**, and reporting or recording the suspect's responses. *Tague v. Louisiana* (1980) 444 US 469 (waiver was invalid where the officer testified that he could not recall whether he asked the suspect if he understood his rights).

- **"Intelligent."** An "intelligent" waiver can only be obtained from a suspect who *"has the capacity to understand the warnings given him, the nature of his Fifth Amendment rights, and the consequences of waiving those rights,"* taking into consideration the suspect's *"age, experience, education, background, and intelligence."* *Fare v. Michael C.* (1979) 442 US 707, 725. Where a suspect is obviously of youthful age, limited education or low intelligence, or is injured, ill, drunk or otherwise impaired, well-trained interrogators will ask a **few** baseline questions to reveal the suspect's degree of lucidity and responsiveness. ("Where are we?" "What's your date of birth?" "Where did you go to school?" etc.)

Cases have held that as long as the suspect's responses show that he understands his situation, the fact of some physical or intellectual limitation does not necessarily make him incapable of giving an intelligent waiver. *People v. Jenkins* (2004) 122 Cal.App.4th 1160, 1171 (IQ of 64; severe cognitive disability); *People v. Whitson* (1998) 17 Cal.4th 229, 248 (injured; hospitalized; mentally retarded; on pain killers); *People v. Clark* (1993) 5 Cal.4th 950, 988 (alcohol; Valium; meth; marijuana); *People v. Anderson* (1990) 52 Cal.3d 453, 469 (no sleep for 30 hours beforehand); *People v. Kelly* (1990) 51 Cal.3d 932, 951 (low IQ; brain atrophy).

**BOTTOM LINE:** To be valid, a *Miranda* waiver must be **"voluntary"** (no threats, tricks or cajoling), **"knowing"** (awareness and understanding of the rights and of the potential use of any statements), and **"intelligent"** (having the rational capacity to decide whether to waive or invoke).

(Emphases added; citations omitted in quoted material.)

This information was current as of publication date. It is not intended as legal advice. It is recommended that readers check for subsequent developments, and consult legal advisors to ensure currency after publication. Local policies and procedures regarding application should be observed.



# Benefits Fair Vendors

## Aflac

Valencia Service Center  
Phone: (661) 775-8600  
Fax: (661) 775-8606



## Legal Shield

Christa Aufdemberg  
Phone: (714) 904-6501  
christaca@legalsshieldassociate.com  
Sandra Allen  
Phone: (562) 858-8227  
[sandraallen@me.com](mailto:sandraallen@me.com)



## Allstate Benefits

Arlene Montano  
Phone: (626) 351-2235  
Cell: (310) 871-1190



## POPA Federal Credit Union

Melinda Quan  
Phone: (562) 229-9181 Ext. 3773  
Fax: (562) 207-4420



## Anthem Blue Cross

ALADS Benefit Service Center  
Phone: (800) 842-6635



## Benefit Service Center

(800) 842-6635



## Rose Hills Memorial Park & Mortuary

Mark Ortega  
(562) 760-2695



## Body Scan International

Bill Penzo  
(888) 724-8439



## Colonial Life

Rene Castro  
(818) 291-4925  
[coloniallife.com](http://coloniallife.com)



## First City Credit Union

(800) 934-2489  
[firstcitycu.org](http://firstcitycu.org)



## Holman Group

(800) 321-2843  
[holmangroup.com](http://holmangroup.com)



## Horizons

Lisa Braun-Ward  
Phone: (800) 382-8924  
Fax: (818) 547-3315



## LACERA

Jaqueline Stewart-Boute  
Phone: (800) 786-6464 or (626) 564-6132  
Fax: (626) 564-6155



## Los Angeles Police Federal Credit Union

(877) 695-2732  
[lapfcu.org](http://lapfcu.org)



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## Your PORF Benefit Q & A:

# Be Sure to Update Your Beneficiaries



In January 1990, as a part of negotiations for a new Salary MOU for Units 611 & 612, ALADS and PPOA established the Peace Officers' Relief Fund (PORF). The purpose of PORF is to provide peace of mind by knowing that income will continue in the event of an injury or illness, while on- or off-duty. PORF is a benefit that you receive at no cost to you. PORF is entirely funded by the County as a result of salary negotiations with your Bargaining Team.

## Specifically, PORF Provides These Two Important Benefits:

### Long-Term Disability (LTD):

This benefit pays up to 60% of your pre-disability base salary. The monthly benefit amount may be reduced by any other income you receive for the disabling condition.

Benefits begin after 90 consecutive days of disability, and are payable for the duration of your approved disability up to Social Security retirement age. Benefits are payable for both on and off the job disabilities.

### Group Term Life Insurance (GTL):

This benefit pays a \$125,000 death benefit.

Is your beneficiary of record up to date? To make a change, simply call the number below and a beneficiary designation form will be mailed to you.

- ALADS members may call (800) 842-6635

## Who is eligible for PORF?

All active full-time, sworn peace officers belonging to Bargaining Units 611 and 612: Deputies, Sergeants, Lieutenants and District Attorney Investigators.

## What are the provisions of the LTD Benefit?

- Waiting Period = 90 consecutive days of Total Disability
- Approved benefit begins on the 91st day
- Covers injury/illness on- or off-duty
- Maximum monthly benefit = up to 60% of gross monthly salary (at time of disability) to a maximum of \$10,000

## Will the LTD benefit be offset by other income?

Yes. Eligible and ineligible offsets are listed below:

### ■ Eligible Offsets:

- Workers Comp (a.k.a. 4850 time or IOD)
- Retirement income

### ■ Ineligible Non-Offsets:

- Vacation time
- Overtime
- Holidays
- Sick Pay

The PORF Administrator will request your current payroll information from the respective department and provide that information to the insurance carrier.

## How do I file a claim?

A claim packet will be sent to you via email or U.S. postal service mail, your choice. For a claim packet:

- ALADS members may call (800) 842-6635

## What will be my monthly LTD benefit?

The insurance carrier will review the claim along with payroll information and if approved, they will determine the monthly benefit.

## Is the LTD benefit taxable income?

Yes.

## When does the LTD benefit terminate?

When claimant returns to work (no longer disabled) or Social Security retirement age.

*continued on page 41*



## Your PORF Benefit Q & A:

### Did You Forget About Your **\$125,000** PORF Life Insurance?

#### Will the LTD benefit be deducted from my paycheck?

No. The PORF disability benefit is not a part of your regular salary/income.

#### Will the LTD benefit affect my retirement or workers compensation settlement with the County?

No.

#### Is there a waiting period for the GTL benefit?

No.

#### Does the GTL have an Accelerated Benefit Option?

Yes. If an insured is Certified as Terminally Ill, the Living Benefit will be an amount equal to 75% of the Death Benefit applicable to the Insured under the Policy on the date of the Certification of Terminal Illness, subject to a maximum benefit of \$93,750. The Living Benefit is payable one time only for any insured.

#### Can I continue the GTL benefit during an absence?

Yes. The policyholder may continue the life insurance benefit during the following absences:

1. Injury/Sickness: 30 months following date active work ceased.
2. Temp Layoff/Approved Leave of Absence: 12 months following date active work ceased.
3. Labor Dispute: For the absence up to the earliest of the following:
  - The expiration of 6 months from the date you ceased active work because of a Labor Dispute with your employer; or

### DO YOU KNOW WHO YOUR BENEFICIARIES ARE?

- The date you accept active employment with another employer; or
- The date timely payments of premium are not made; or
- The date the Labor Dispute ends.

To obtain the PORF benefit information booklet, go to the following website: [www.mybenefitchoices.com/PORF](http://www.mybenefitchoices.com/PORF) and click on the Resources link to view the PORF Evidence of Coverage (EOC) Booklet and other information.

PORF Trust

9500 Topanga Canyon Blvd.

Chatsworth, CA 91311

Phone: (800) 842-6635

Fax: (818) 477-1474

### Be Sure to Update Your Beneficiaries!

Deputies and district attorney investigators that have recently been married, divorced or have had a child, should call the Benefit Service Center at (800) 842-6635 to confirm that their beneficiaries are up to date.

ALADS does not share information with the county, so you must call the Benefits Service Center to update your beneficiary list. If you haven't updated your beneficiary list, it is more than likely your current beneficiary is whoever you listed when you were in the Academy. Haven't things changed since then?

Should something happen to you, don't leave your family to legally battle it out with someone you knew 20 years ago. It's a legal battle they will lose.

**Call Benefit Service Center at  
(800) 842-6635 today!**

An Excerpt from

# HISTORY OF LASD OFFICER Survival Training

By Deputy Chris Miller (retired)  
Lieutenant Mike McAndrews (retired)  
© Los Angeles County Sheriff's Museum

**O**n April 5, 1970, shortly before midnight, a traffic stop resulted in the deaths of four CHP officers. This tragic incident forever changed tactics, equipment, and officer survival training throughout the United States.

CHP officers Walt Frago and Roger Gore received a call of a man brandishing a gun in the Newhall area. The officers located the

revealed several issues that may have helped the officers survive. Because of this tragedy, law enforcement training changed around the country.

When this incident occurred, the officers were carrying ammo dump pouches that, when opened, dumped six rounds into the officer's hand. The revolvers were then loaded one bullet at a time. After this incident, speed loaders began being issued to officers, which allowed them to reload six

rounds into the revolvers all at once. Officers also began carrying backup weapons. If their service weapon ran out of ammo, they could retrieve their backup weapon and continue firing. Tactics also changed. Instead of having both officers approach at once, one officer approached while the other provided cover. At that time, CHP officers had a red band attached around the lever of the shotgun. If the shotgun

was racked to place a round in the chamber, it broke the seal. When this occurred, a memo had to be written to justify why a round had been loaded into the chamber. In this incident, it probably prevented the officer from racking a round, even during such a deadly situation.

## Expertise

On the Sheriff's Department, Lieutenants Bob Edmonds and Jerry Harper had discussed the dramatic increase in officers killed in the line of duty. They decided the deaths of officers should be investigated to determine the cause, and that information should then be shared with patrol personnel to improve their officer survival skills. They couldn't choose just anyone to research this information and present it to deputies. It was important to choose someone with enough expertise to conduct a tactical, yet timely, investigation of the officer's death. If they chose someone

**When this incident occurred, the officers were carrying ammo dump pouches that, when opened, dumped six rounds into the officer's hand. The revolvers were then loaded one bullet at a time.**

continued on page **43**



An Excerpt from

# HISTORY OF LASD OFFICER Survival Training

who was inexperienced, it might only add to the confusion surrounding the murder of a police officer.

Lieutenants Edmonds and Harper decided that Sergeants Dale Underwood and Dave Kushner were the most experienced investigators to conduct this in-depth research. They approached Underwood and Kushner with the assignment, explaining its goal was to determine any contributing causal factors and to document the results for officer survival training purposes.

Lieutenants Edmonds and Harper arranged for Underwood and Kushner to meet with Lieutenant Bob Smitson from LAPD who had already begun investigating LAPD's officer-involved shootings resulting in officer deaths. LAPD and the Sheriff's Department wanted to work together to make the job safer for everyone. When conducting his investigations, Smitson interviewed everyone involved to determine any mitigating circumstances and then wrote up a scenario that could be used in training. Smitson provided Underwood and Kushner with two of these scenarios.

It was important for the officer survival researchers to keep in mind the Homicide investigators' concerns that the information they gathered was discoverable by the

suspect's defense.

Shortly after Sergeants Underwood and Kushner began their research, Kushner transferred to Homicide Bureau and was replaced by Sergeant Carrol Hogue. Sergeants Underwood and Hogue began investigating officer-involved shootings resulting in officer deaths, as well as assaults on officers, to determine how and why they occurred. The information they gathered was adapted into training scenarios. These scenarios were reenacted for the first time at Firestone Station so patrol deputies could see firsthand how an officer was killed. Deputies at Firestone Station spread the word about how effective this training was, and when deputies at other stations heard about the training, they requested that it be presented at their facility. Deputies told their friends from other police departments, and those agencies began requesting the training as well.

## Causal Factors

Lieutenant John Kolman transferred to Training Bureau and began examining officer-involved shootings from the Sheriff's Department as well as other law enforcement agencies around the country, hoping to determine if there were common



causal factors. During the research, he determined that all of the officer deaths were caused by one or more of six causal factors.

## Six Causal Effects of Officers Being Injured or Killed

1. Lack of Prior Planning
2. Lack of Communication between Partners
3. Splitting of Partners
4. Lack of Familiarity with Equipment
5. Tactical Error
6. Overconfidence

Whenever an officer-involved shooting occurred, Kolman would obtain as much information as possible from many sources including interviewing those involved. Homicide investigators were very helpful, providing facts on a shooting as well as offering their opinion on what could have been done differently.

## The "5 Cs"

While Deputy Carrol Hogue was teaching officer survival training, he was also writing officer survival articles that were published in the Star News. As memory aids to help responding deputies quickly establish an effective initial containment of a potentially violent situation, he developed the 5 Cs:

- **Contain** – establish containment of the





An Excerpt from

# HISTORY OF LASD OFFICER Survival Training



situation, both to control the suspect's escape and to keep people from entering a dangerous area.

- **Coordinate** – work with responding units and other resources (e.g., Aero, SEB, negotiators, K9, bomb squad) to establish containment and control.
- **Communicate** – clearly and quickly communicate the handling unit's intent and any changes in the situation.
- **Command** – take assertive command of responding units and of the situation.
- **Control** – assert control over the situation by managing units and resources.

## The 6th "C" – Critique

Years later, the 6th "C" – Critique – was added to remind deputies and supervisors to hold after-action briefings to better learn from critical incidents.

## The 7th "C" – Contingency Planning

After working at the Tactics and Survival Unit, Deputies Chris Branuelas, Mary Michel, and Mike Reynolds were promoted to sergeant and later worked together at Lakewood Sheriff's Station. One day, Sergeants Branuelas and Michel were on a containment of an armed, barricaded suspect. As they awaited the arrival of the Special Enforcement Bureau, the suspect

suddenly shoved his 3-year-old child out the front door of his home. This unexpected development not only forced them to conduct a hasty rescue of the toddler before SEB arrived, it revealed a gap in the current protocol. Training had focused on containment, with virtually nothing about handling a dynamic or changing situation.

For years, the 5 Cs had been a cornerstone of training, but Branuelas realized they only prepared deputies to manage an incident from containment to the arrival of SEB. A situation may appear static but could quickly change, and deputies were ill-prepared to deal with a fluctuating dynamic. If the suspect acted, they needed to be ready to respond. An examination of possible suspect actions revealed six changes for which they needed to be prepared:

- 1) **Attempt to Escape** – Although a good containment was designed to prevent this, was it physically capable of controlling an escape, say by vehicle?
- 2) **Surrender** – Since suspects had previously used victims or hostages to feign surrender to distract or lure deputies from cover, deputies needed to be in place to safely take an "apparently" surrendering suspect into custody.
- 3) **Commit Suicide** – This frequent action by a suspect could trigger a defensive response from deputies, believing a suspect was attacking them or a hostage.



### 4) Attack Containment Deputies

(including from outside intervention such as layoff suspects or terrorists) – Were proper cover and concealment being used and were weapons deployed to successfully win an armed assault?

5) **Communicate** – Were deputies prepared to effectively communicate with suspects prior to the arrival of trained negotiators?

6) **Take or Harm Hostages** – Were deputies staged and ready to quickly and effectively confront and intervene if suspects attempted to take or harm hostages?

In order that field deputies be better trained to safely manage critical situations, Sergeants Branuelas, Reynolds, and Michel researched past incidents. In February 1999, Branuelas began using these six points to teach field supervisors and deputies how to prepare for a changing containment. His class on managing critical incidents included the new concept of a 7th "C" – Contingency Planning. Essentially, success in handling a dynamic incident would depend on how well deputies prepared for those six potentials.

In the 7th C, deputies learned to rapidly prepare contingency plans once containment was established. One element included staging and equipping a team to respond in case the suspect became violent. Attempts should be made to communicate with the suspect to gain information and perhaps defuse the situation. When possible, a floor plan of the building should be obtained and preparations made for a rapid response by assigning each team member a specific task.

Deputies must consider "defensibility" when choosing containment positions. Their own cover and concealment, the distance between a potentially escaping or attacking suspect, and the suspect's cover and armament were necessary considerations. Their ability to maneuver to another location of cover if necessary, and whether back-up deputies could reach them, was also taught.

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An Excerpt from

# HISTORY OF LASD OFFICER Survival Training

The initial training was given prior to rifles being fielded and involved long rifles and shotguns being distributed at key points of the containment.

In 1999, there was resistance to the idea that field deputies may need to enter a containment and confront an armed hostage-taker prior to the arrival of SEB. That concept did not fit with previous training. However, two months after the first class on managing critical incidents, a mass shooting occurred at Columbine High School in Colorado. That shooting changed the way police responded to and managed what were later termed "active shooter" incidents. No longer would law enforcement contain the location and wait for special weapons teams; now they took action, searching for and confronting the suspects. The Columbine shooting and others since then significantly changed our field tactics



**One of the training methods  
Lieutenant Kolman used to  
get deputies' attention was to  
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traffic stop where the four CHP  
officers were killed ...  
... Afterward, in the classroom,  
the photo of the four CHP  
officers in uniform lying  
side by side on the slab in the  
coroner's office was shown to  
drive the point home.**

and reinforced what Branuelas had been teaching. The 7th C was formally adopted into the Department's tactics training.

## Reenactments

One of the training methods Lieutenant Kolman used to get deputies' attention was to have deputies reenact the traffic stop where the four CHP officers were killed. To make the reenactment more believable, blanks were fired from the guns, and Kolman created fake blood using Caro syrup and red dye. Every detail was covered in order to make the traffic stop and shooting look believable. Afterward, in the classroom, the photo of the four CHP officers in uniform lying side by side on the slab in the coroner's office was shown to drive the point home. The deputies involved in the reenactments were Bob Coskill, Joe Callanan, Bob Kostka, Mike McAndrews, Carrol Hogue, and Dale Underwood.

## Blank Firing Revolvers

Deputy Sam Marino obtained revolvers from Central Property that had been confiscated. The revolvers were modified to fire blanks and then used in role playing. The cylinders

of each revolver were pinned so that only shorter blank rounds could be inserted into each chamber. Live rounds would not fit or allow the cylinder to close. Another precaution taken was to plug the barrel of the weapon. An opening was bored into the underside of the revolver's barrel in order for the gases and flame from the blank round firing to escape downward. This prevented injuries and allowed the person in front of the barrel to remain safe, since the exhaust from the blank went downward instead of in their direction. Because of the concern for safety, it took months for Kolman and Marino to receive approval to use the blank-firing weapons in training. ◆



# E-Mail Addresses for ALADS Officers, Staff and Defense Reps

## Officers

**Ronald Hernandez**  
*President*



rhernandez@alads.org

**James Wheeler**  
*Vice President*



jwheeler@alads.org

**Xochilt Rosas**  
*Secretary*



xrosas@alads.org

**Steven Blagg**  
*Treasurer*



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**David Gaisford**  
*Assistant Treasurer*



dgaisford@alads.org

**John Perez**  
*Director*



jperez@alads.org

**Richard Pippin**  
*Director*



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## Staff

**Derek Hsieh**  
*Executive Director*



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**Rebecca Bueno**  
*Labor Relations Specialist*



rbueno@alads.org

## Defense Reps

**Matthew Cline**



mcline@alads.org

**Boris Nikolof**



bnikolof@alads.org

**Mark Sanchez**



msanchez@alads.org

**Anthony Spatola**



aspatola@alads.org

# ALADS Unit Representative List

\* ALADS Directors

### Aero Bureau

Granek, Michael

### Airport Court

Russell-Saenz, Robin

### ALADS

Hernandez, Ronald \*  
Wheeler, James \*

### Altadena Station

Gaisford, David \*

### BOLRAC

Rosas, Xochilt \*

### Century Station

Meraz, Henry  
Perez, John \*

### Children's Court

Xie, Aily

### College Bureau

Elias, Elizabeth

### COPS Bureau

Ferrell, Robert

### Court Services Transportation

Peña, Enrique

### CPB/IDT/STARS Center

Salazar, Virginia

### CRDF

Ortega, Flor

### CSB (County Services Bureau)

Pippin, Richard \*  
Tate, Reginald

### CSE - Norwalk

Grant, Winston

### CSW - Van Nuys East

Domin, Robert

### Homicide Bureau

Blagg, Steven \*

### Industry Station

Finn, Michael

### LCMC

Sandoval, Robert

### Long Beach Court

Erbacker, Mark

### Malibu/Lost Hills Station

Loureiro, Armando  
Martin, Jeffrey

### Major Crimes

Cabadas, Jesse

### Metrolink Bureau

Perez, Oscar

### NCCF

Galarneau, Dean

### Norwalk Station

Sass, Sarah

### Palmdale Station

Cianciosi, Kenneth  
Cronin, Andrew

### Parks Bureau - East

Castro, Leonardo

### Parks Bureau - North

King, Trevor  
Ortega, Miguel

### PDC - South

Tidball, Justin

### Pico Rivera Station

Longoria, Brandon

### San Dimas Station

Jensen, Jeffrey  
Portillo, Arturo

### Santa Clarita Station

Rathbun, Michael

### Santa Monica Court

Miller, Craig

### Temple Station

Johnson, James

### Torrance Court

Quick, Johnny

### TPD

Tineo, Alejandro

### West Hollywood Station

Chung, Christopher

Barragan, Janet - At Large  
Buckband, Stacey - At Large  
Ferguson, Thomas - At Large  
Magdaleno, Pedro - At Large  
Sass, Robert - At Large

### District Attorney Investigators

#### Central Investigation

Martin, Jennifer

#### Public Integrity

James, Brian

Call ALADS at (323) 213-4005 to find out how to become a unit representative.



# ALADS Field Representatives

## Dana Fackert



Advocacy Unit  
Alhambra (D.A.)  
Alhambra Court  
Altadena Station  
Antelope Valley (D.A.)  
Antelope Valley Court (Michael  
Antonovich Courthouse)  
Arson & Explosives Unit  
Auto Insurance Fraud (D.A.)  
Biscailuz Range  
Civil Litigation Unit  
Civilian Pre-Employment Unit  
College of the Canyons Training Center  
Community Partnerships Bureau -  
Headquarters (Formerly COPS)

Phone: (626) 497-2554

Email: dfackert@alads.org

County Services Bureau – Antelope  
Valley  
Court Training Division  
Corrective Action Unit  
Crescenta Valley Station  
Crime Lab - Lancaster  
Criminal Intelligence Bureau  
Discovery Unit  
Duarte Sub-Station  
East Los Angeles (D.A.)  
East Los Angeles Court  
East Los Angeles Station  
Edelman Children's Court  
Emergency Vehicle Operations Center  
Field Operations Support Services Unit  
Fleet Management  
Homicide Bureau  
Human Trafficking Unit

Internal Affairs Bureau  
Lancaster Juvenile Court  
Lancaster Station  
Laser Village  
Metrolink – Brackett Field  
Mira Loma Detention Facility (Closed)  
Palmdale Station  
Parks Bureau – East  
Parks Bureau – North (Antelope  
Valley)  
Pasadena (D.A.)  
Pasadena Court  
Pomona (D.A.)  
Pomona Court  
Pre-Employment Background Unit -  
North  
Recipient Welfare Fraud  
Risk Management Bureau

San Dimas Station  
Special Enforcement Bureau  
Special Victims Bureau - North  
Temple Station  
Training Bureau  
a. Advanced Officer Training  
b. Force Training Unit  
c. Recruit Training Unit  
Traffic Services Detail  
Transit Services Bureau – El Monte  
Transit Services Bureau – Gateway  
TRAP (D.A. - El Monte)  
TRAP (Taskforce for Regional Theft  
Prevention) - North  
Walnut Station  
West Covina Court (Citrus)

## Doug Joho



Aero Bureau  
Avalon Station  
Bellflower Court (Los Cerritos)  
Bellflower Substation  
Carson Station  
Central Investigations (D.A.)  
Century Regional Detention Facility  
Century Station  
Cerritos Station  
Child Abduction Unit (D.A.)  
Civil Management Bureau  
Compton (D.A.)  
Compton Court  
Compton Station  
County Courthouse (CCH – Stanley  
Mosk)

Phone: (310) 351-5065

Email: djoho@alads.org

Countywide Services Bureau  
- MLK Hospital  
- Harbor UCLA Hospital  
- Detective Bureau  
Crime Lab – Fire Arms  
Criminal Courts Building (CCB – Clara  
Shortridge Foltz)  
Downey Court  
Eastlake Juvenile Court  
Elder Abuse Unit (D.A.)  
Family Violence Unit (D.A.)  
Hall of Administration  
Hall of Justice  
- DA Investigators  
- SIB  
- Court Service Training  
- Back Ground Investigators  
Hall of Records  
High Tech Crimes  
Integrity Section (D.A.)  
La Mirada Sub-Station

Lakewood Station  
Lawndale Substation  
South Los Angeles Station  
Lomita Station  
Long Beach (D.A.)  
Long Beach Court  
Los Angeles County Medical Center  
Los Padrinos Court  
Major Crimes Investigations (D.A.)  
Marina Del Rey Station  
Norwalk (D.A.)  
Norwalk Court  
Norwalk Station  
Paramount Substation  
Parks Bureau – South  
Pico Rivera Station  
Public Integrity Unit (D.A.)  
Rancho Los Amigos Hospital  
Records/Identification Bureau

Redondo Beach Court  
Scientific Services Bureau  
Sex Crimes Unit (D.A.)  
Sexually Violent Predator Unit (D.A.)  
Special Litigation (D.A.)  
Special Ops Detail  
STARS (all)  
- Casino Crimes  
- Fraud  
- Major Crimes Bureau  
- Narco Majors  
- Prison Gangs  
- Special Victims Bureau  
Torrance (D.A.)  
Torrance Court  
Transit Services Bureau Regional  
Operations Center (ROC)  
TRAP  
USC Medical Center  
Whittier Court

## Dana Fackert and Doug Joho



Airport Branch (D.A.)  
Airport Court  
Beverly Hills Court  
Burbank Court  
Central Arraignment Court (CJAC)  
Central Civil West Court  
Chatsworth Court  
Correctional Services  
Transportation (formerly TST)  
Corrections Services Transport –  
Wayside (formerly TST)  
Criminal Crimes – Chatsworth



Court  
El Monte Court (Rio Hondo Court)  
Glendale Court  
Hollywood Court  
Industry Station  
Inglewood Court  
Inmate Reception Center  
Malibu/Lost Hills Station  
Men's Central Jail  
Mental Health Court/Department 95  
Metrolink – Chatsworth  
Parks Bureau – North (Castaic)

Metropolitan Court/Traffic Court  
San Fernando (D.A.)  
San Fernando Court  
Santa Clarita Court  
Santa Clarita Station & DB  
Santa Monica Court  
Sylmar Court  
Transit Services Bureau –  
Chatsworth  
Twin Towers Correctional Facility  
Universal Substation  
Van Nuys (D.A.)

Van Nuys Court East & West  
Pitchess Detention Center  
(Wayside)  
- CST  
- Laundry  
- JIU  
- NCCF  
- North Facility  
- Range  
- South Facility  
- The Ranch  
West Hollywood Station

## About Your Field Representatives

You should see a field representative at your assignment on a regular basis. Check the list of assignments next to the field representative's photo to see who is covering your assignment. The field representatives distribute ALADS 411s, attend briefings and are there to answer your questions. If you need to get a hold of a field representative, you can call them at the above numbers.



Welcome to our newest  
Field Representative, Mike Prince!



# ALADS DISPATCHER

## CLASSIFIED ADS

### BOOKS

**The Toe Tag Society** Stories about life in prison from those who survived, and some who didn't. Available on-line from Amazon, Barnes & Noble Kindle & Nook. Check it out.

### BURIAL PLOTS

FOR SALE.....COMPANION MAUSOLEUM CRYPT at San Fernando Mission Cemetery. Companion crypt holds two caskets or two urns. Included is one crypt plate, one insert and one vase. Prime location height, about five feet from ground. asking market price \$20,000. Laura 626.222.3040

2 Plots for Sale. 7,000.00 each. Oak Dale Memorial. Phone # 626-428-5488 L.A.S.D. Retired

### CUTLERY

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### Classified Ads

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All Others: \$15/month

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**Call 323-213-4005**

### DJ SERVICES

Active deputy with several years of DJ experience. Specialize in birthdays (adult & children), weddings, retirements, reunions, company events, holiday parties, block parties...etc. Have most popular generations of music and lights. Tel: 323.600.3847 Email: dj.dion.d@aol.com. Go to [www.djdiond.djintelligence.com](http://www.djdiond.djintelligence.com) for availability, booking, planning and many more options.



### HEALTH AND WELLNESS

Lose Weight and Enjoy Your Life to the Fullest! Ask us how you can improve your health, increase your energy, control your weight and increase your muscle at a 20-minute consultation. Boost Your Energy, Joe Rodd, (562) 708-0650.



### RETIRE IN PRESCOTT, ARIZONA

Retire in Prescott Az, start living the Good Life, voted best place in the West to retire to, contact Henry Reyes (retired LASD) at My Home Group 909-618-3252 or 928-499-4546



### SCHOOL

Santa Fe Springs Christian School is offering a 20% discount on tuition, exclusively for the children of First Responders. Extended daycare (0630 – 1800). Contact Principal Mrs. Cindy Jarvis at (562) 868-2263 x3927. [www.sfscs.org](http://www.sfscs.org)



### TOUR COMPANY

The Number 1 Tour Company in Cody, WY of Yellowstone is up for sale. Call 307-527-6789 to inquire.

### WINDOW COVERINGS

Window Coverings at wholesale prices. No middle man. Mini blinds, plantation shutters, honeycomb shades, bamboo & Roman. Serving Inland Empire, Los Angeles, Orange County Areas. Call LASD Sgt. Jensen, 909-238-5557.



Photo by Chris Miller

### PLEASE NOTE:

It is impossible to verify all advertisements received by *The Dispatcher*. We cannot be held responsible for their accuracy, veracity or reliability. The fact that an ad is listed here should not be viewed as an endorsement or recommendation by the Association for Los Angeles Deputy Sheriffs.



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 ☎ 208-660-3582  
 🌐 [www.northernidaholiving.com](http://www.northernidaholiving.com)  
 ✉ [johnthurston@windermere.com](mailto:johnthurston@windermere.com)



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\*Price includes double depth concrete vault and interment rights for two. Original list price: \$9,600, plus endowment care fee. Additional services and merchandise required. 10% savings not applicable to cash advance items. Offers may not be combined. • Whittier FD 970 CA Ins Lic OD04129

## Dispatcher Classified Listing Form

### Instructions:

Type or print clearly your ad on the form below and fax it to the Dispatcher Classified Listing Fax Line at 323-724-0140. The Classified Ad may be up to 25 words. The Classified Ad rate is FREE per issue for Voting ALADS Members and \$15.00 per issue for all others. Multiply the one-time rate by the number of issues in which you want your ad to appear (for example, 3 issues is \$15.00 x (3), or \$45.00). **All ads are payable in advance by check or money order. Please make check payable to ALADS.** Deadline for inclusion is noon the third Wednesday of the preceding month (for example, for inclusion in the September 2020 issue, ads must be received by Wednesday, August 19, 2020).

- ☐ **Voting ALADS Member Ad - FREE** Includes up to 3 lines of text.  
☐ **All Others - \$15 / issue**

Employee # \_\_\_\_\_

Name \_\_\_\_\_ Phone \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Ad Copy: Type or print clearly here.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Number of Run Dates \_\_\_\_\_ x price for each run date = \$ \_\_\_\_\_

Please make check or money order payable to:  
**"ALADS"** and mail to: **ALADS (re: Dispatcher Classifieds)**  
 2 Cupania Circle • Monterey Park, California 91755

## Election for ALADS Board Slated

Members interested in volunteering their time to serve on the ALADS Board of Directors and who want to run for one of the three seats up for election this year, are advised that the candidate filing period opens on August 3, 2020 and closes at 5:00 p.m. on September 1, 2020. Candidate filing information may be obtained by contacting the ALADS office.

The filing information includes a ballot statement, a maximum 300-word candidate statement, and a passport sized photo. Filing materials must be submitted to the firm conducting the election by 5:00 p.m. on September 1, 2020.

Candidate information will be published in the October edition of the *Dispatcher*. The candidate statements will be distributed to voting members with official ballots, which will be mailed October 23, 2020.

The deadline for voting is 5:00 p.m. on November 9, 2020. Ballots from voting members will be counted on November 10, 2020, the next business day following the deadline for voting.



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### % Pay Increase Reflected in Dues Deduction

Effective July 1, 2020, the members of Bargaining Unit 611 received a 2.5% salary increase. Consequently, pursuant to Section 4.04 of the Bylaws, effective July 1, 2020, full-service membership dues increased from \$110.28 to \$113.02. Dues are set at 1.33% of the salary level of a sixth step Deputy Generalist with basic POST.

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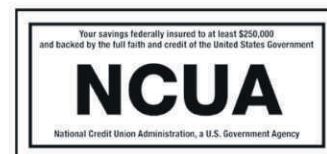
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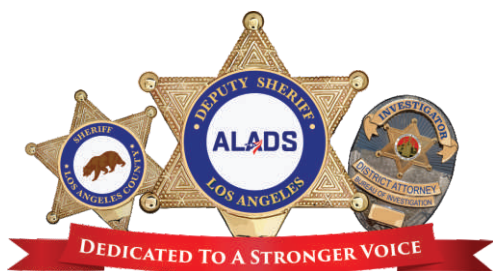
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