



May 2016

The
BACKUP
Newsletter

The Official Publication of the California Reserve Peace Officers Association

2016 CRPOA Awards Nomination Announcement



The California Reserve Peace Officers Association is proud to announce the Annual Awards Program for 2016. We invite you to nominate a deserving member of your organization for one of several recognition awards. Awards are presented to reserve peace officers, search and rescue members and volunteers in policing as well as reserve coordinators.

The awards will be presented at our Annual Awards Luncheon to be held at 12 noon on Friday, August 12, 2016 at the Crowne Plaza Hotel in San Diego, CA. The luncheon is held in conjunction with ARPOC2016, the Annual Reserve Peace Officers Conference, which offers 28 hours of POST approved training.

Do not miss out on an opportunity to honor a deserving individual within your organization.

Review the award nomination information to determine which award is best suited to your nominee. Along with the [Award Nomination Application](#), a letter of nomination **must** be submitted detailing the nominee's qualifications and accomplishments. Documentation supporting the nomination letter should be included. Questions can be forwarded to nancy@crpoa.org. Nominations must be submitted no later than June 23, 2016.

We look forward to receiving your nomination.

Nancy Elam

Awards Committee Chairman

The deadline for the receipt of Award Nominations is June 23, 2016

Do the right thing. It will gratify some people and astonish the rest"

-Mark Twain, American author

ARPOC 2016

August 10 - 13, 2016

CROWNE PLAZA HOTEL

San Diego – Mission Valley

Hope you are planning to attend **ARPOC 2016** August 10th-13th at the Crowne Plaza Hotel in San Diego - Mission Valley. We are excited to return to San Diego and are really looking forward to the new convention site.



Near the Riverwalk Golf Club, the Fashion Valley Mall and many great restaurants, the Crowne Plaza's guest rooms and conference rooms have recently been totally refurbished. Our conference rate is \$139 per night including parking (with in and out privileges). You can make reservations now by calling (888) 233-9527 and using the conference name "ARPOC". To register online or for more details about the [hotel click here:](#)



Your **ARPOC 2016 Registration package** is available online

www.crpoa.org

Look under the conference tab for information you can download the full -- ARPOC package of Class Descriptions, the Conference Schedule, Frequently Asked Questions, Hotel information, and details on the Annual CRPOA Awards.

The ARPOC Registration Forms (3 pages) are available to fill out online. Click/send or you can download after filling it out and send it in with your check.

Chief Executive Officer's Report



CRPOA & PORAC: Strength in Unity

The leadership of CRPOA and PORAC believes that all California reserve peace officers should be members of both organizations. Each strives to protect their member's interests with legislative advocacy and affords other valuable benefits, each also offers benefits the other does not. One key example is the insurance plan available only to CRPOA members.

CRPOA's Accident Disability Plan, underwritten by a major insurance company, offers financial assistance for qualifying work-related injuries which temporarily preclude the General Member from attending to his or her regular, compensated employment or from engaging in the normal and customary activities of a person of like age in good health, including the General Member's duties as a Reserve Peace Officer, Search and Rescue Member or Volunteer in Policing.

Both organizations offer members a legal plan. The plans are complementary, not duplicative, and it is important to distinguish between them.

CRPOA's Legal Services Plan (LSP), LSP is designed to assist General Members with legal representation in administrative matters, such as accusations of violations of department policy or other adverse employment actions. A representative will provide advice and counsel in connection with any administrative matter. At the discretion of LSP legal counsel, a representative may appear at an interview or at a Lubey ("name clearing") hearing.

If a General Member has received an adverse administrative decision and CRPOA determines that the issues involved are of broad importance to CRPOA members, CRPOA may fund an appeal or other legal action. In such event, the LSP legal counsel will undertake the appeal or other legal action at no cost to the General Member.

Note that LSP does not provide coverage, advice or representation for threatened or charged criminal matters or in connection with civil actions. That's where PORAC comes in.

PORAC Legal Defense Fund Plan IV (LDF)

LDF provides full representation by a highly knowledgeable and experienced criminal attorney from the first indication of potential criminal exposure arising from an act committed within the scope of employment (e.g. shooting, custody death, use of force resulting in serious physical injury, violation of civil rights).

For civil matters, LDF provides representation by an experienced civil attorney when a member is sued for an act within the scope of employment, but the employing agency refuses to defend the member. When the member's employing agency defends, but fails to fully indemnify that member, LDF will provide an experienced attorney to monitor the case.

A PORAC representative will be present in the vendor area at ARPOC in San Diego this August to answer questions and explain how reserves can join PORAC. If not already a PORAC member, I encourage you to stop by and visit with them.

Kevin Bernzott is the Chief Executive Officer of CRPOA and a Reserve Sergeant for the Ventura County Sheriff's Office. Kevin welcomes your questions and comments. Email him at bernzott@crpoa.org



CALIFORNIA RESERVE PEACE OFFICERS ASSOCIATION

April 28, 2016

"The Safety for All" Newsom Ballot Measure Committee
c/o Thomas A. Willis Remcho, Johansen & Purcell, LLP
1127 Eleventh Street, Suite 602 Sacramento, CA 95814
Email : twillis@rjp.com

Re: OPPOSITION to "Safety for All" Act 2016 Ballot Initiative

Dear Mr. Willis:

CRPOA was founded in 1974 to raise the professional, educational and employment standards of reserve peace officers. Engaging with officers, associations, agencies, the POST Commission and the Legislature, CRPOA has been actively working since inception on behalf of peace officers who protect the citizens of California.

With the goal of enhancing public safety as our paramount concern, we oppose "The Safety for All" Act. CRPOA strongly believes this misnamed initiative does nothing to promote public safety but instead deprives law-abiding citizens of the ability to protect themselves.

CRPOA also opposes laws granting exemptions to "full-time" peace officers but not reserve peace officers. Well over five thousand reserve peace officers selflessly put their lives on the line to protect the citizens they serve and should be included with other peace officers who are wisely granted exemptions from ammunition and magazine restrictions.

Reserve peace officers should not be forced to pay fees, wait up to 30 days and disclose personally identifiable information, including home addresses and phone numbers, to purchase ammunition. Subjecting them to such treatment when they are entrusted with carrying firearms in the course and scope of their employment is unreasonable and offensive.

CRPOA joins the many other law enforcement organizations opposing the initiative.

Sincerely,

A handwritten signature in black ink, appearing to read "KBW".

Kevin Bernzott
Chief Executive Officer

Making A Difference - think about it

"What you do makes a difference, and you have to decide what kind of difference you want to make."

— Jane Goodall --

"Have the vision to see beyond the ordinary."

Many of you have taken the "Below 100" class and know the story of CHP Officer Mike Mitchell and ARPOC Instructor. Please take this opportunity to help Mike. He is a great guy and struggling to get responses on his survey for his CA POST Master Instructor program. He would like to create a course to help agencies, families, and individuals like himself navigate emotional, physical, and financial recovery from catastrophic injuries. Any current or retired law enforcement (LE) officer can help Mike by taking a brief survey. When completed, please forward the survey to other law enforcement or risk management personnel. Closing date is June 3rd, 2016. The survey results will help Mike develop much needed course curriculum.



[Line Level: Officers](#) Survey here or [Risk Management](#) Survey here

Please share the following information with your contacts. Thank you in advance!!

WELCOME NEW CRPOA MEMBERS

Between 4/16/2016 and 5/15/2016

Michael Wilson Concord PD

Bret Willat San Diego SD

Michael Darlington Elk Grove PD

William Whited El Dorado SO

Amber Baggs San Diego SD

Konrad Sonnenfeld Los Angeles SD

John Mohamed Fulton-El Camino PP

Anthony Mckenna Broadmoor PD

Alejandro Lostanunau Pasadena PD

Vic Davalos Los Angeles PD

Justin Matsuhara Gilroy PD

Sam Staten Concord PD

Charles Copeland Marysville PD

Travis Conley Concord PD

August 10th-13th 2016 Crowne Plaza Hotel San Diego - Mission Valley

15 minutes of video Fame or Shame

If you are found on any social media sites, the viewer may see you in two categories: **Good Cop or Bad Cop**. This course will provide you with knowledge and skills to deal with provocateurs looking to post you in action.

Active Shooter and Tactical Clearing Course

Advanced training course is designed for individuals or teams and will focus on contemporary skills.

“Terrorist Indicators, Warning Signs & Explosives”

This class will discuss some of the terrorists’ activities that have allowed them to breach security measures.

“Surviving Police Work in the 21st Century”

Rich and Ed have acknowledged their theme of “One Moment in Time to be the Best that One could ever Be” helps you to better understand best practices, police tactics, and use of force options for on and off-duty.

Commercial Sexual Exploitation of Children (CSEC)

What are the high risk factors? What red flags or warning signs might indicate CSEC? What would you do?

Officer Safety & Awareness Training (OSAT)

Our mission is to reduce incidents of law enforcement deaths and assaults by providing data, research, and instructional services relevant to an officer’s safety.

Tactical Casualty Care Core Skills Course

The mission of this course is to provide the latest best-practice tactical training to all levels of law enforcement and first responders in order to assure inter-operability of core skills within agencies during “active shooter” incidents.

Reserve Coordinators Introduction

This class is open to all attendees and designed to provide an overview of the reserve program to coordinators who are newly assigned or have limited experience in their positions.

Reserve Coordinators Update

This Update Class is open to all attendees and intended to provide a review of changes in law and regulation affecting the reserve program, pending legislation, course certification and compliance reviews.

Street Racing/Altered Vehicle

READY! SET! GO! See what makes this daily event so dangerous and hard to restrict. Experience the “Hands on” training with our on-site modified cars.

Understanding Hazardous Materials

An introduction for officers on how to accurately detect, identify, and acquire a basic understanding of the hazardous materials you may encounter and the actions you should take to maintain the safety.

Off-Duty Survival

We will discuss communication, weapons, surveillance detection, maintaining your cover as a civilian, tactics with your family, and principles of when to be a witness and when to take action.

Firearms Training

You will receive a use of force review with practical training using your duty handgun.

Introduction to Dignitary Protection

These are skills we should all have whether using them to protect our department heads, mayors, CEOs, celebrities or our families.

The Constitutional Law Crate -- Applying and Articulating the Law Under Pressure

These concepts enable peace officers to better respond under stress to such concerns in the field, during the investigative process and while testifying in both criminal and civil proceedings.

The San Bernardino Mass Shooting

This debrief will provide an overview of the San Bernardino incident and the law enforcement mutual aid response.

A Special Invitation from the US Custom and Border Protection...



ARPOC 2016 Officers and Staff - Please join us on Thursday evening for a tour that will focus on the first 10 miles of the border from the ocean out to the Otay Mountains. We will focus on the technology, infrastructure and violence on the border. If this is of interest to you, then sign up for this tour on the class Registration form. We only have 35 seats so sign up early!

Register now

ARPOC 2016

August 10th - 13th 2016

Crowne Plaza Hotel

San Diego - Mission Valley



New ARPOC 2016 Challenge Coin

August 10 -13, 2016

available in San Diego if there are enough to share after Attendees, Instructors and Staff.

CRPOA and ARPOC 2015 Challenge Coins Just \$10 each



The **CRPOA Challenge Coin**, you can order online
[CRPOA Challenge Coin](#)

We have a few **ARPOC 2015 Challenge Coins**
[Purchase an ARPOC 2015 Coin online here](#)

Matt Lujan, Vice President and 2015 Conference Chairman, Reserve Police Sergeant Pacifica P D
You are welcome to contact him at lujan@crpoa.org or call 855-552-7762 ext. 101

Note from the General Counsel



California DOJ: “Disarming the [Reserve] Police”

By Jim René
General Counsel
California Reserve Peace Officers Association
May 2016

California Penal Code Section 30630 provides as follows:

“30630. (a) Sections 30605 and 30610 shall not prohibit the possession or use of assault weapons or a .50 BMG rifle **by sworn peace officer members of those agencies specified in Section 30625 for law enforcement purposes, whether on or off duty.**

(b) (1) Sections 30600, 30605, and 30610 shall not prohibit the sale, delivery, or transfer of an assault weapon or a .50 BMG rifle to, or the possession of an assault weapon or a .50 BMG rifle by, **a sworn peace officer member of an agency specified in Section 30625** if the peace officer is authorized by the officer's employer to possess or receive the assault weapon or the .50 BMG rifle. Required authorization is defined as verifiable written certification from the head of the agency, identifying the recipient or possessor of the assault weapon as a peace officer and authorizing that person to receive or possess the specific assault weapon.”

In last month's Backup, I alerted you to the DOJ's new position that reserve peace officers are not eligible to acquire “assault weapons” (in normal vernacular “patrol rifles”). The only way the DOJ can come to this conclusion is that reserve peace officers are not “sworn peace officers.” Since then, our reserve officer colleagues at numerous law enforcement agencies have contacted me and told me that they have been denied in their attempts to acquire patrol rifles for on-duty use even though their departments have authorized them to do so.

As an aside, this position has been taken by the DOJ with no advance notice and no prior consultation with us or, to our knowledge, any law enforcement agency. It reverses a years-long practice of sworn reserve peace officers being allowed to acquire these rifles as authorized by their agencies and register them with DOJ. As far as I can tell, DOJ simply met behind closed doors and came to this conclusion without publishing any notice or providing any legal analysis (and then refusing to engage with us in any meaningful way so that we could understand their position).

What followed were orders to Federal Firearms Licensees up and down the State to stop selling patrol rifles to active, sworn reserve peace officers authorized by their agencies to acquire these tools for patrol use. When we learned of this, we presented our view to DOJ and reminded them of the Notice they published in 2009 on the identical issue as applicable to large capacity magazines. And here is an excerpt from the DOJ website: <https://oag.ca.gov/firearms/exemptpo>

Non-Roster Handguns (Unsafe Handguns)

The following agencies may purchase non-roster firearms for use in the discharge of their official duties:

- Department of Justice
- A police department
- A sheriff's official
- A marshal's office
- The Department of Corrections and Rehabilitation
- The California Highway Patrol
- Any district attorney's office
- Any federal law enforcement agency
- The military or naval forces of this state or of the United States (Pen. Code, § 32000, subd. (b)(4).)

Penal Code section 32000 does not prohibit the sale to, or purchase by, sworn members of the above agencies of a handgun.

Large Capacity Magazines

A sworn peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is authorized to carry a firearm in the course and scope of that officer's duties may borrow, purchase, receive, or import into this state a large-capacity magazine (Pen. Code, § 32405.)

I requested that DOJ tell me what is different about those exemptions as applied to reserves and the exemption for the acquisition of assault weapons, and respond to the simple question: are reserve peace officers "sworn peace officers" as used in PC Section 30630? DOJ refused to address that question and would not engage in a dialogue with us. Instead, they simply said there is no specific assault weapon exemption in the Penal Code for reserves and thus we are not eligible to acquire them. End of discussion. When I pointed out there is no specific exemption for 830.1 officers either, all I got was silence.

So now we are led to believe that reserves are "sworn members of [law enforcement agencies]" for purposes of the exemption for non-roster handguns, and we are "sworn peace officers" for purposes of the acquisition of large capacity magazines, but magically we are not "sworn peace officer" members of our agencies for purposes of the exemption in PC Section 30630 relative to assault weapons. There is simply no basis for this argument from a legal standpoint.

CALL FOR ACTION

1. So what are our options? We are working on that now. We believe we will have to seek a legal remedy as the DOJ seems unwilling to even discuss this matter with us. We are working behind the scenes with our lawyers and our consultants to find a path forward here and will keep you posted as to our next steps. To help us solve this, I have 2 requests for our members: **Please donate to the CRPOA Legal and Legislative Fund.**

I kindly request that you contribute to our legal and legislative fund. Although not tax-deductible, your contribution will greatly help us represent your interests in this matter. You can send a check payable to CRPOA, P.O. Box 5622, San Jose, CA 95150-5622 (and please refer to "Legal/Legislative Fund" in the notes section of the section).

2. **Please send me information.**

Please send me any of your agency policies or other information regarding the acquisition of patrol rifles by reserves. Also, please let me know if you have been denied the ability to acquire a patrol rifle because of the DOJ's new and unwritten directive, or if your department is changing any of its policies relative to your acquisition of patrol rifles for on-duty use. The only way we can oppose this is to demonstrate this policy is not only wrong on the law but it is affecting your ability to do your jobs out on the street.

I have been asked what is behind this new position by DOJ. My opinion is that it is just the latest manifestation in California by lawmakers and regulators to impose gun control at all levels and is, quite frankly, driven simply by politics. The recent discussion in the media and by our leaders to force law enforcement officers to use “smart guns” in place of our current firearms, the Newsom initiative, and the pending legislation to restrict ammo and large capacity magazine purchases and possession, all of these efforts are aimed at disarming the public, even police officers. What better place to start than California reserve peace officers? A few recent cases in point: (1) we have a number of pending AB703 fights going on right now (with agencies still refusing to follow their obligations to issue CCW endorsements), (2) I got a call recently from a reserve officer who was denied an off-roster handgun (again, due to the FFL being instructed by DOJ that reserves are not permitted to acquire off-roster handguns), and (3) I received a call from a retired reserve whose department decided to cease qualifying retired reserves on their range for their LEOSA firearms qualifications. Illustrative of this political shift, take a look at this outrageous article, which is not an outlier and which our lawmakers and policymakers have already begun to echo, in rhetoric and in reality: <http://qz.com/602682/the-case-for-disarming-americas-police-force/>

All of that being said, we are continuing to work hard on your behalf to make sure you and your families are safe, whether you are on-duty or off-duty. The Legislature provided an exemption for sworn peace officers to acquire patrol rifles and reserves are sworn peace officers. It’s as simple as that. Stand by for further.

Stay safe everyone.

If you have a question or comment for Jim, please email Jim at rene@crpoa.org. Jim René is the General Counsel for the California Reserve Peace Officers Association and a Reserve Police Sergeant for the San Fernando Police Department, and previously was an LAPD reserve police officer for 15 years.



Chief Financial Officer’s Report

May 2016 Financial Condition

It is my pleasure to report that our financial condition remains sound. The current month closed with all of our current obligations met. We added 14 new members that joined from the 16th of last month to the 15th of the current month.

Aside from getting the financial activities in place for our annual training conference in San Diego this August, we continued the work necessary for members and auto bill agencies to have the ability to participate in a “paperless invoice” renewal system.

Letters were mailed to all current members to “officially” explain the changes that will be made starting with paperless invoicing of individual members on July 15, 2016. Auto bill agencies and agencies that are paying for their officer’s membership will be phased in over a 12-month period beginning in July of this year. If you are a member of an auto bill agency, you can help make the transition to paperless invoicing successful by making sure your membership information on the CRPOA Membership Database online is accurate.

IF YOU HAVE NOT LOGGED ONTO THE CRPOA MEMBER WEBSITE AND SETUP YOUR PASSWORD, NOW IS THE TIME TO DO IT! LET US KNOW IF YOU NEED ANY ASSISTANCE. YOU CAN CONTACT THE CRPOA MEMBERSHIP AND FINANCE OFFICE BY EMAIL TO cadams@crpoa.org OR CALL (408) 371-8239 or (855) 552-7762 EXT. 2 toll free .

It is very important that you keep your online membership record up-to-date. All changes that you make to your membership record result in an automatic notification to the Membership and Finance Office. Keeping this information current will insure that you receive up-to-date information regarding the association’s updates to your legal, insurance, educational and legislative activities.

We will also discontinue the automatic annual reissuing of CRPOA Membership Cards. Your current Membership Card will be valid indefinitely as long as your membership dues are current. If you need a replacement Membership Card, you can contact the CRPOA Membership and Finance Office and request the card be reissued.

Now that the ARPOC2016 registration information is available for you, I wanted to remind you that if your agency is planning to pay for or reimburse you for conference enrollment fees, it may be easier for your agency to pay for all their attendees by setting up a Purchase Order with the CRPOA Membership Office rather than doing individual reimbursements for each attendee. Ask your Training Officer or Reserve Coordinator to call our office for additional information. This will allow you to complete your registration early giving you a better chance to get the classes you want to attend. Hope you all join us for another great training session in San Diego.

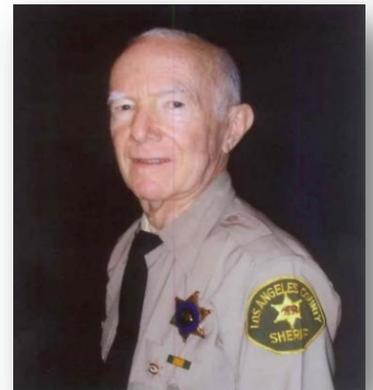
Chuck Adams is the Chief Financial Officer for CRPOA. He is also a retired Reserve Commander from Los Gatos Police Department. Chuck welcomes your calls and emails, you may contact him at 408-371-8239 or chuck@crpoa.org

Board Meeting Updates

From Secretary Frank Barnes

April 26, 2016 Board Meeting

Chief Executive Officer Bernzott called the meeting to order at 1834 hours. The following Directors participated: Barnes, Bernzott, Cantrell, Downs, Elam, Lombardi, and Lucas. Chief Financial Officer Chuck Adams, Office Manager Janet Adams, Legal Counsel Ekerling, Webmaster Teri Adams and Chairman Emeritus Voorhees also participated. Vice President Lujan, Director Torres and General Counsel René were absent. The Board was advised that Director Torres was being honored by his agency as Reserve of the Year.



Minutes of the March 22, 2016 Meeting were approved as corrected.

Chief Financial Officer Adams advised that the April 15, 2016 financial reports had been posted to the SharePoint web site. Adams noted that the Association was in sound financial condition. The April 15, 2016 financial reports were received and filed.

Vice President Downs advised that the Association had expanded our Capitol Track from 20 bills to 100 bills due to the large number of bills affecting law enforcement.

CEO Bernzott led a discussion of the action items.

General Counsel René's report had been e-mailed to Directors in his absence.

VP Downs led a discussion of bills affecting law enforcement.

Editor Janet Adams advised that The BackUp had been sent out last week.

Webmaster Teri Adams advised that website development was going well.

Janet Adams noted that at least three more classes were needed for ARPOC 2016.

CFO Adams noted that converting to paperless operation would take time.

The meeting was adjourned at 2007 hours.

**If you have a question for the Secretary, please contact him at barnes@crpoa.org
Secretary Frank Barnes is in his 45th year as a reserve deputy with the Los Angeles County Sheriff's Department.
In his day job Frank is a transportation engineer with the City of Santa Monica.**
