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From the Sheriff

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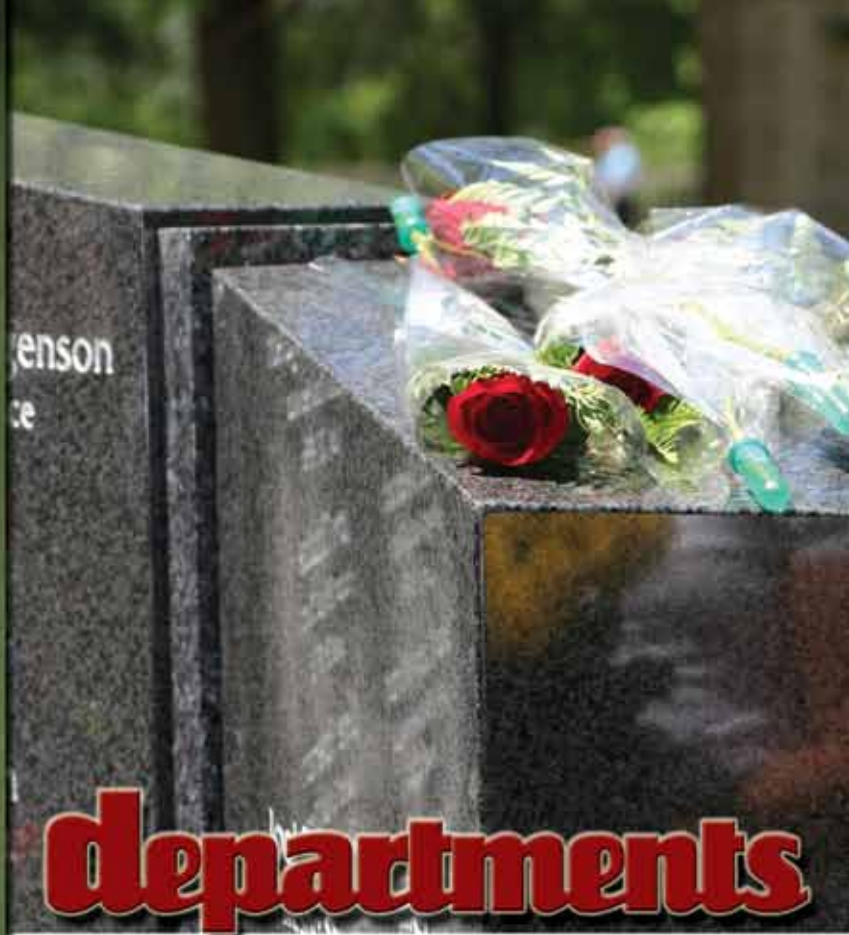
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FROM THE SHERIFF

Sheriff Margaret Mims

These past few months have been very eventful. First I must acknowledge the loss of our dispatcher Denise Depew on December 26, 2011. Denise was only 49 years old, had worked for Fresno County Sheriff's Office for nearly 30 years and was planning her retirement in March. She went home ill on Christmas Day and when she did not come in to work the following day Madera Police Department was called to check on her welfare. They found that she had passed away in her home. Denise's mother Rosalie and her aunt Doris Castleberry were dispatchers for the FDSO and her stepfather was a Deputy Sheriff. During her memorial ceremony I acknowledged that sometimes this profession can make us bitter, dark, at the very least cranky. Not Denise. Her professionalism and bright smile will never be forgotten, rest in peace Denise. We will miss you.

On December 7, 2011 I was invited by Senator Feinstein's office to testify at a hearing of the U. S. Drug Caucus on International Narcotics Control. The invitation came as a result of our successful strategies to eradicate marijuana on public lands and to testify regarding the emerging trend of the multi-acre medical marijuana grown on private lands on the valley floor on farm land. This is an issue in several of our Central Valley counties and causes confusion for residents living around these grows as well as law enforcement as we try to respond to the numerous complaints from neighbors. Also testifying at the hearing was Director Gil Kerlikowske the Director of the Office of National Drug Control Policy. He has visited Fresno County several times and has seen our challenges first hand. The intention of the hearing was first to inform the Senators who are in the Caucus to what the issues are and to see what Federal agencies can do to work with local agencies to address the problems. We are working now on the strategy for the upcoming outdoor grow season and more information will be coming out soon.

On January 8, 2012, arson at the Harris Ranch feedlot was committed by terrorists

claiming to be animal rights activists. This made international news. Fourteen big rigs burned and all were a total loss. The fires were set and ignited in the early hours of the morning and there could very well have been drivers sleeping in these trucks as they often do when there is an early run. After the call came in to dispatch a Deputy was on scene within 10 minutes. CDF responded and their investigators are working with ours as well as the FBI. The Vice Unit is leading the investigation and the Ag Task force is working on target hardening with other Ag businesses. In an email message from those taking credit for the attack wrote about the act and signed off by writing 'until next time'. We cannot assume this will not happen again and must be vigilant across the county. The smallest bit of information could be important in identifying those responsible or even stopping another attack.

The hiring process is still underway to fill vacant positions. Deputy I and Correctional Officer recruitment gets bogged down at the psychological exam phase. Fresno County has only one vender to do these exams and this slows the whole process. I have expressed my concern to the CAO's office to see if we can work with other agency vendors to speed things up.

Prison realignment (AB 109) is continuing to affect us. Figures given to us by CDCR prior to realignment showed that we would receive about 506 inmates by the end of June 2012. At the end of December we had 503 AB 109 inmates. I have sent our statistics to the California State Sheriffs' Association and they are compiling numbers from counties statewide to see if there are some commonalities to our larger than expected numbers. In a conference call with Governor Brown he assured us he is willing to look at the numbers and the legislation and he is open to adjusting the law. The two areas that seemed to concern him the most was the parole violators who spend time in county jails as well as those inmates who are given multi-year sentences.

I recently attended a luncheon for the retiring Dr. Laird who worked for several years in the jail as the overseer of medical and psychological services. Dr. Laird told a story about growing up in a small town and how there were different groups or cliques of community members and how they would fuss and fight between themselves but when hard times came around and it really counted, they all pulled together to get through. We are in one of those times and it counts now that we all pull and work together to get through these rough times. I know we can and will rise to the challenge. ♦



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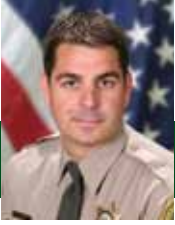
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PRESIDENT'S MESSAGE FDSA Pres. Eric Schmidt

Happy New Year to all the members of Fresno Deputy Sheriff's Association! I hope all of you had a memorable holiday season.

With the 2011 now history, this allows us a time of reflection on our accomplishments and look to ways we can improve in the new year. The great thing about welcoming a new year, it's a refreshing start- to make new goals and resolutions, both personally and professionally. Of course, the biggest challenge is holding yourself to these goals. Although change is sometimes difficult, it offers us a great opportunity to grow.

There are going to be many exciting challenges for the Fresno Deputy Sheriff's Association in 2012. Politically, we will be joining forces with many others across the State of California to stop the "Paycheck Deception," initiative that will be going on the ballot in November of 2012.

Paycheck Deception gathered enough signatures to take the issue to California voters. Most of the signatures were generated from Orange County, where the battles of pension and high salaries come into play with public employees vs. private sector (big-business). The basis for the initiative is basically to silence the voice of public employees. This would require each Association/Union to annually reinitiate the members who pay into their respective Political Action Committee by having them sign up again, and write a personal check to the fund. Currently, we deduct PAC dues through payroll deductions. Payroll deductions would not be allowed any longer. We all know how time consuming and difficult this process would be each year. The initiative is written to show the private sector must follow the same rules for its employees, when it comes to PAC dues. The question becomes, when is the last time a private sector employee of a large corporation paid into PAC? The answer is simple, this practice does not exist. Corporate executives and company boards do the bidding of the Corporation. The employees are there to work. This affects us greatly for endorsements to political candidates/friends within local government

who we endorse. I will continue to keep you informed about this in future editions of The Goldstar.

I would also like to say Congratulations to a few Sheriff's Department employees and longtime members of the FDSA. Arley Terrence and Steve McCommas, both Sergeants, were recently promoted to the rank of Lieutenant. I have known them both for many years and know they have the skills and leadership to perform well in this position. On behalf of the entire FDSA, I want to congratulate both of you and wish you well in your new ranks.

During 2011, I received both praise and criticism for speaking out about heated issues facing this agency.

As the leader of your organization, my job is to protect the hours, wages, and working conditions at the Fresno County Sheriff's Office. The members elect me to provide them a voice; of both pleasure and displeasure. The membership of this organization has been clear about areas to focus on improving during the last couple of years. It sees major room for change in the areas of hours, wages, and working conditions.

I am excited and looking forward to 2012. As always, you can expect my utmost attention. I am here for all of you and your individual needs. I realize these continue to be tough times, economically for many people and agencies. We continue to face many challenges.

I would like to take a moment to remember a great employee we lost a day after Christmas. Longtime dispatcher, Denise Depew's died after she went home sick Christmas night. Her unexpected death surprised and saddened so many people in our department. Denise was the voice behind the hot calls many of us deputies would respond to. She was there giving us critical information and keeping us in line. Many deputies have shared stories of their occasional 'Denise,' scolding-for talking crazy over the radio. ABC30 did a story about her and I have posted that on the

FDSA website under, FDSA NEWS for those to visit and see. Denise was truly one of a kind and we will miss her.

Hope this year is a great one for you!

Stay Safe. ♦!

-Eric

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Vallejo cop's accused killer pleads not guilty

SF Chronicle Article



Hundreds of police officers, family and friends gather for a memorial service for slain Vallejo police officer James Capoot at Corbus field in Vallejo, Ca., on Wednesday November 30, 2011.

The man charged with fatally shooting a Vallejo police officer while fleeing from a bank robbery pleaded not guilty Tuesday to capital murder charges.

Henry Albert Smith Jr., 37, appeared in Solano County Superior Court in Fairfield on charges that he killed Officer James Capoot in a Vallejo neighborhood Nov. 17 moments after robbing a bank and leading police on a chase.

Smith's attorney, Chief Deputy Public Defender Oscar Bobrow, entered pleas of not guilty to murder with four special circumstances: murder of a peace officer, murder in the commission of a robbery, murder to avoid arrest and murder by means of lying in wait.

If convicted of any special circumstance, Smith could face life in prison without the possibility of parole or the death penalty. Prosecutors will decide later whether to seek lethal injection.

Smith, a Fairfield resident who has previous gun convictions, also pleaded not guilty to being a felon in possession of a gun. He has served time in prison for gun violations.



The casket of officer James Capoot is brought in, as hundreds of police officers, family and friends gather for a memorial service for the slain Vallejo police officer at Corbus field in Vallejo, Ca., on Wednesday November 30, 2011.

Smith did not say anything during Tuesday's brief hearing. He is being held without bail and will return to court Jan. 31.



(left to right at podium) Jamie, Jillian and Justine Capoot remember their father, officer James Capoot, as hundreds of police officers, family and friends gather for a memorial service for the slain Vallejo police officer at Corbus field in Vallejo, Ca., on Wednesday November 30, 2011.

Smith allegedly robbed the Bank of America on Springs Road in Vallejo and led officers on a high-speed chase to Janice Street, about 5 miles away. There, the 45-year-old Capoot used his patrol car to spin the suspect's sport utility vehicle to a stop.

Smith ran into a backyard, where he shot and killed Capoot, authorities said. Other officers soon arrived and arrested Smith.

Capoot, a Vacaville resident, was a 19-year department veteran. He is survived by his wife of 24 years, Jennifer DeCarlo Capoot, and their three daughters, ages 17 to 22.

Photographs from the funeral of Officer Capoot. Another name etched in stone in California and across this Nation ♦



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Suspect killed in CHP shooting said to have felt his life unraveling

By Kim Minugh, kminugh@sacbee.com

Trying to piece together the story of Richard Bernard Bisbee, homicide detectives came across a letter that could offer insight into why the 68-year-old man apparently snapped Sunday night.

The letter, given to authorities by a friend of Bisbee's, indicated that Bisbee felt he was losing control of his life, that he had nobody to talk to and had contemplated suicide, said Sacramento County sheriff's homicide Sgt. Jim Barnes.

It was a major clue that Bisbee's alleged shooting of a California Highway Patrol officer, which ended in his own death, might have been borne of crisis.

"It looks like there might have been some sort of emotional breakdown," Barnes told reporters Monday afternoon. "His life was starting to unfold and he didn't know how to get out of it."

On Monday, Sacramento County sheriff's detectives pulled at the threads of what they believe was Bisbee's unraveling life.

The prior evening, Bisbee was driving southbound on Highway 99 in Elk Grove when a CHP officer pulled him over, according to authorities.

CHP Valley Division Chief Steve Lerwill said the car's windows were tinted and plastic covered the license plate, making it hard to read. Both are vehicle code violations, Lerwill said.

The officer approached Bisbee's car and spoke to him. When Bisbee allegedly became uncooperative and refused to step out of the car, the officer radioed for backup, Lerwill said.

A second officer arrived, and the two again approached Bisbee's car. Asked whether he had any weapons in the car, Bisbee said no, but then pulled out a handgun and fired at the backup officer twice, Lerwill said.

As Bisbee fled, the first officer fired at the car. Barnes said it was not yet clear whether that officer struck Bisbee, but said it could explain why he soon lost control of his car, rolling it until it came to a rest on its side.

At that point, other CHP officers and Elk Grove police officers had arrived and surrounded the wreckage. Barnes said the handgun was visible

to officers and that Bisbee appeared to be reaching for it, despite orders from officers to stop and show his hands.

Ultimately, an Elk Grove officer fired into the car. The officers retreated and waited for paramedics, who pronounced Bisbee dead at the scene.

Meanwhile, an off-duty registered nurse scaled a wall by the freeway and rendered aid to the injured CHP officer. He underwent surgery that night and is expected to make a full recovery, Lerwill said.

As is standard procedure, the CHP officer and Elk Grove police officer who fired their weapons have been placed on administrative leave until the investigation is complete.

On Monday, detectives were still trying to understand what would have prompted such behavior by Bisbee.

Barnes said he didn't appear to be close to his family. He lived alone in a worn-out trailer on a rural stretch of Bruceville Road, and according to friends, largely kept to himself. He struggled with relationship problems, though Barnes did not elaborate.

Bisbee's younger son, Gary, said he was at a loss in trying to understand news of his father's death. On Monday, he was making plans to fly to Sacramento from his home in rural North Carolina.

"He was a good guy. He wasn't a troubled person," Gary Bisbee, 45, said of his father. "He stayed to himself more – he worked a good, honest life."

Gary Bisbee said he spoke to his father a few months ago and detected no signs of depression. They talked about Gary's three kids, and the elder Bisbee was "laughing, cuttin' a fool, ... happy-go-lucky."

Originally from Detroit, Richard Bisbee spent much of his life as a truck driver. More recently, his son said, he had done some work as a private investigator.

He had another adult son in North Carolina, a daughter in Chattanooga, Tenn., and several grandchildren and great-grandchildren.

According to the state Bureau of Security and

Investigative Services, Bisbee was licensed as a security guard and held state-issued permits for carrying a firearm and a baton on duty.

To obtain such licenses, Bisbee would have undergone criminal background checks by the state Department of Justice and Federal Bureau of Investigation, according to BSIS records available online.

He again underwent a background check when he applied for, and was granted, a concealed weapons permit in Sacramento County in May 2010.

Upon hearing after the shooting that Bisbee had a permit, Sacramento Sheriff Scott Jones said he immediately assigned detectives to pore over Bisbee's file looking for red flags that should have held up his application. They found none, Jones said.

Bisbee's application, which Jones released to reporters, indicated he previously had been issued concealed weapons permits in Calaveras and Amador counties, but that the permits had expired.

Bisbee sought the permit for a Sig Sauer P239 9 mm handgun. However, Jones noted that was not the gun Bisbee allegedly used to shoot the CHP officer Sunday night.

In an attachment to the application, Bisbee wrote that he used to work for a private investigator in Amador County, serving summonses and doing surveillance.

"I would like to get back into the field again," he wrote. The permit would be helpful, he said, because "I get sent to places nobody else wants to go."

Barnes noted the incident has been emotional for the community, for law enforcement and for Bisbee's family, and said detectives will continue looking for answers to bring some closure.

Until then, Gary Bisbee will struggle to make sense of it.

"There had to be a reason," he said. "He wouldn't just open fire on a police officer for no reason. He's never harmed anyone." ♦

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Denise Renee DePew

Born April 13, 1962 - Died December 26, 2011



Denise died unexpectedly December 26, 2011 in her home located in Madera CA. Denise left work Christmas afternoon after coming in for her shift, suffering flu like symptoms. When she didn't report into work the next day, Madera Police Department was sent to her home to attempt to make contact and check her welfare. After a period of time, they were able to locate a key, entered the residence and found that she had peacefully passed. The family didn't request an autopsy, and due to her preexisting medical, and flu symptoms she described the previous night, it was listed as natural causes.

The Fresno County Sheriff's Office lost a piece of its heart when we lost Denise. She was a second generation Dispatcher, following her mother Rosalie Mills, Rosalie's Sister Doris Castleberry was also a Supervising Dispatcher with the department. Denise became a member of the department, October 25, 1982 when she started as extra help. She left for a brief period of time, and returning as a Dispatcher I, October 4, 1986. She quickly moved up the ranks, promoting a Dispatcher IV, October 31, 1988. Denise loved to train new Dispatch trainees, and it showed. When training she was devoted to that trainee and their progress in the program. At the time of her passing, Denise had trained over 90% of the current dispatch and supervising staff. Denise also branched out and taught radio procedures, old CAD, CLETS & NCIC, for Probation, Parole, Bailiff's, and at the Dispatcher Academy, to name a few.

Denise was Dispatcher of the Year twice during her career. First Dispatcher of the Year was in 2002, along with her Dispatching team. Second Dispatcher of the Year was in 2007. Denise was respected by her fellow dispatchers and patrol

deputies for her dedication and hard work. Denise was a highly skilled Dispatcher that was diligent regarding officer safety. She consistently researched information when entering or dispatching a call for service. Denise never did halfhearted work; she gave it "110%" every day that she reported to work. She was always ready and willing to help others with a smile on her face.

Denise demoted to Dispatcher III, September 14, 2010. She moved back to swing shift and started preparing for retirement; marking the date for April 11, 2012, two days before her 50th birthday.

Denise had purchased her first home almost two years ago in Madera. She was so proud and excited about her new house. She was

still in the process of decorating and planting her backyard garden. Denise loved live music, dancing, cooking, cake decorating – where she won several ribbons at the Fresno County Fair, fishing, playing bingo and the slots. She also enjoyed helping out at the COPS Poker Motorcycle Run and participating in the COPS walk.

She is preceded in death by her mother Rosalie Mills and her biological father. She is survived by her Dad; DC Mills of Oregon, Boyfriend; Kenny Tucker of Fresno, her feline Children; Desi and Lucy, her Best Friend; Barbra Bender Vaquilar of Fresno, her Aunt and Uncle; Doris and Jim Castleberry of Illinois, her Brother; Jerry Thompson of Fresno, an Uncle in Clearlake, a Niece and Nephew, other family members and numerous friends; not to mention, her second family at the Fresno County Sheriff's Office.

We will carry on, always remembering Denise and the legacy she has left behind. We will strive to honor her and her hard work and dedication to protecting those we serve and each other.

Fresno II to all units copy final log and farewell to Fresno County Sheriff Dispatcher, Denise Depew, ID 0467, EOW December 26, 2011. Denise is code 4, now dispatching God's angels in heaven. RIP Dink. Fresno II is clear. ♦

By – Sheila Ownsbey, Communication Dispatcher III



Eagle 1 Ten-Eight

By Deputy Ryan Burk

“Eagle 1 Ten-Eight”, is the phrase deputies with the Fresno County Sheriff’s office have been hearing since the start of the Air Support Unit in March of 1997. The Sheriff’s office currently flies two MD500E helicopters outfitted for both law enforcement and rescue situations. We also have a Cesena 206 used for primarily for surveillance

parked where they should not be, or stolen vehicles dumped in hard places to see. Not a problem for the helicopter, while flying routine patrol these are some of the things that stand out the most. But one thing we don’t think about is the noise. The helicopter is loud, and that also helps prevent crime. Just hearing it and seeing it

The helicopters are especially good at night. With state of the art tools like the Forward Looking Infrared Camera, and the 50 million candle power spotlight, finding criminals hiding or hurt victims is quicker and easier. But did you know that the helicopter crew can see the ground just as good if not better even without these tools. At night the crew of Eagle 1 flies with generation 3 night vision goggles. These are military grade, and allow the crew to see the ground in the darkest of conditions. It also allows the crew to fly the helicopter into the mountains at night. For the past eight years Eagle 1 has been the only helicopter in Fresno County and central valley to fly using night vision goggles. CHP helicopter H40 is currently training and starting to fly with them as well.

The goggles also protect the crew of Eagle 1 against lasers being directed at the helicopter. People using Laser pointers and shining them at aircraft is become a disturbing and more frequent thing. It can cause the pilots to loose sight of where they are flying, and also can damage your eyes. The goggles, allow protection, and give us the opportunity to follow the laser to the source. Currently shining a laser at an aircraft is a federal felony.

In the next Goldstar issue the Air Support Unit hopes to update you with what new changes have happened to us over the last few years. Until then when you see the helicopter flying over, give us a wave, because when you think we can’t, we can see you! ♦



missions. The helicopters were chosen due to the capability, performance and cost effectiveness to fly. With other departments in the state, folding or restricting the air units, The Fresno County Sheriff’s helicopters continue to fly an average of 6 hours a day.

The Air Support Unit’s primary mission is to assist the patrol deputies of the Sheriff’s Office with whatever they need, and be readily available to answer the call. But the Air Support Unit does not stop there. We are also available to any other agency, law enforcement or other, inside and outside of Fresno County. Did you know the Air Support Unit just added a new shift! Mon-Thurs they are here to serve starting at 7 am.

One question we get asked all the time, when you’re not on a call what do you do? The helicopter will actually patrol the county. There have been many instances where the helicopter crew has spotted a crime just starting to occur, or a traffic accident that happened. Vehicles

fly overhead will help make people thing twice about what they are getting ready to do. Just the simple presence of the helicopter flying in the area, is a big law enforcement tool.



Did San Jose Police Sergeant Scott Castruita Earn a Fair Pension?

By Scott Castruita

I am writing this article because I recently had a Christmas party with some close friends who I care about very much and I know they feel the same about me. However, there is always one common theme that seems to come up in our conversations and that is my retirement from the San Jose Police Department. In August of 2011, I retired after a 28-year career as a police officer, ending the last 12 years as a patrol sergeant. I was very proud of my career choice and I could not imagine taking any other path.

This article is only to share my thoughts and is not in any way, shape or form a complaint or attempt to gain sympathy from the reader. The economy has made it tough on all of us. Police officers, firefighters and civilians alike are all feeling the effects of our current economic downturn. However, San Jose Mayor Chuck Reed has managed to take this worldwide economic downturn to demonize his police officers and firefighters in an attempt to cover up his and other city representatives inability to properly manage the city or just plain do their job.

It is unfortunate that many of my friends and people that I consider family have been tainted by Mayor Reed's lies and now have negative opinions that are based on ignorance of the facts. Many of the people that used to tell me "You don't get paid enough for your job or I wouldn't do your job for a million dollars, now accuse me of gorging myself at the public trough. I can't blame them completely for their mistaken conclusion. Because everyone is busy in their day-to-day lives, just trying to keep their own boats afloat, they don't have time to do a true examination of the facts so they rely on a media that loves controversy so they can sell newspapers. They also rely on an elected leader Mayor Reed who has an unscrupulous hidden agenda and flat out lies to his citizens.

For this reason, I ended my career quietly with no fan fare, no party, in fact I even skipped out on my last briefing because it was too difficult for me to say good bye to my friends and police family. I was heartsick feeling they were stuck on a sinking ship and it was our own Mayor that fired the torpedoes. His torpedoes have completely demoralized and are rapidly destroying the finest, most highly educated and dedicated police department in the nation.

I am proud to have worked with these officers and leaders. I am saddened because every officer I talk

to now has lost their enthusiasm and feels stuck in their job and is unsure of their future. Thanks to Mayor Reed, there are no winners in his plan and the citizens of the city will suffer the most as the crime rate rises. When his term is over, Mayor Reed will move on and leave San Jose smoldering in ashes.

Now for the question: Did Scott Castruita, retired San Jose Police Sergeant earn a fair pension?

I would like to answer this question by giving a few examples of my personal experience as a police officer and I ask you to compare these experiences to your own career before you judge me.

Giving CPR to a woman's father that I knew was dead because his small grandchildren were begging me to help him and the crowd of onlookers surrounding us expecting me to help him.

Being the first on the scene after a young mother had called 911. When I arrived, she handed me



her obviously dead 9-month-old baby as if I was going to run for a touch down, crying please help me, please save my baby. I did CPR on this baby for what seemed like the longest 5 minutes of my life.

I had to lead an investigation into the death of a 9-month-old baby. The horrible feelings I had because I had to interrogate a grieving mother as a possible suspect to be sure about how her baby had died. Collecting

evidence at the scene and taking photos of the dead baby only to be told later it was most likely a case of Sudden Infant Dead Syndrome.

Never being able to erase that experience from my mind nor sleep through the night because I had a 9-month-old son of my own at home. I was always waking up to check and be sure he was breathing. Because of this experience, when my daughter was born, I moved her into my room at night for the same reason.

Having to administer CPR two more times to dead victims because the victim's family, friends and bystanders were expecting me to save their lives. I just couldn't perform the miracle they wanted from me.

Holding a 17-year-old boy's hand and telling him "everything was going to be OK, we are going to get this car off of you". Watching his life slip away, all the time knowing the truth, there was nothing I could do to save his life. When the family showed up, I lied to them. I told them, your son he didn't suffer, it was over fast for him. The rest of the night on patrol was a long lonely night for me.

All the terrible car accidents I was on where I saw badly hurt people, including dead children and the elderly. No matter the conditions, freezing, wet or hot weather, the conditions were never right to deal with this type of experience.

Responding to an emergency call for help from a brother officer, only to arrive and see him lifeless between two parked cars after he was shot by a crazed gunman. Watching as another brother officer, critically wounded in the same gunbattle, as he is loaded into an ambulance and then later hearing the news that he died from his gunshot wounds. That officer was one of my recruiters when I was hired as a police officer.

On another day I again find out I was down the street when another brother officer was shot to death with his own gun while processing a drunk driver.

Responding to the countless numbers of suicides and attempted suicides. Arriving on a scene to find a man that blew his own head off with a shotgun. The man that drank a gallon of pool acid. The 16-year-old boy that stole his dad's gun and shot himself in the head after he texted his friend's goodbye. The man that soaked his sleeping bag in gasoline then got in and set it on fire. The man who took a butcher knife and cut his stomach open and having to talk to him as his guts lay beside him. The person that rammed their car into a tree after leaving a very touching letter behind. There are so many more that still haunt me and make me wonder why?

The many brother and sister officers, some who were close friends and took their own lives. The lingering thoughts and feelings, should I have seen that coming?

The times I fought with a suspect who was trying to take my gun away and kill me with it. I live with lingering thoughts of what would he have done to me, if I lost the fight? Wanting to hear the sound of the sirens telling me my brother and sister officers were on the way to help me. I thank god for my brother and sister officers that showed up to help me. One of those times they even had to return my gun to me because it ended up in the middle of the street during the fight. That's when I decided to buy a back up gun with my own money and I carried it hidden on me for the rest of my career.

Winning fights with suspects did not always mean I walked away without injuries. I have had my kneecap knocked off, a disk in my back is compressed, all the bones in one hand broken, several eye injuries and two shoulder surgeries. The list goes on but so do I.

Over the years I have had rocks, bottles, sticks, you

name it and its been thrown at me and sometimes they hit me. I have been bitten, punched, kicked, hit with cars, spit at and called every name in the book. But I have also been thanked and had my hand shaken many times by grateful citizens.

I have set up funeral home arraignments for grieving families. I have checked on mothers, fathers, and other family members because relatives had not heard from them, only to find them dead and have to tell the caller that their loved one is gone. I have had to deliver the worst news to families about their dead children or mom or dad. Don't think that officers just go back into service and never shed a tear. There were times I could barely get around the corner without my tears making it too blurry for me to drive. That's when you call your family just to say hi and they don't have a clue what you are feeling. This is one of those jobs that won't allow you to just go home at the end of the day and forget about it.

All my kid's events and all the holidays I missed while on patrol. Someone has to work those holidays. Not me anymore and I am thankful to be able to spend them now with my family and friends. I don't have to get those calls at work from my family about how much they miss me because I am not there with them.

Ok I think you get the picture this is not just my story, this is almost every police officer's story. Just change the names and the faces. Police officers have all the same day-to-day stresses everyone else has dealing with life. We are also part of that 99%. Yet because we drive those blue and white cars, we end up being the most visible symbol of government and the target of some people's frustrations with government. We go to work and sometimes have to make split second decisions that will affect our lives as well as others, all at the same time we are thinking about our kids and other love ones.

I feel I earned my pension. I paid into my pension my whole career. I am not getting a free pension. In fact when I retired, the city was still taking almost 22% of my pay for my pension. During my career, we were asked many times by the city to sacrifice a pay raise because of city budget problems. The city told us if you agree not to take a pay raise, we will increase your pension. We made a good faith agreement with the city. Now the city wants to break their agreement. It would be no different then you making all your house payments and then the bank shows up and says it's your fault we are having money issues we need to take your house. Really? I don't think so. I will continue to produce fugitive.com and help the city catch bad guys because catching bad guys is what I do best. I refuse to waste the time and the money the citizens of San Jose invested in me.

This Op-Ed is written by and the opinion of Retired Sergeant Scott Castruita, President of Fugitive Watch Productions. ♦

Public pensions are protected in Constitution

But some believe the contracts clause doesn't prevent the state from changing costly retirement plans.

From Sacramento

In Philadelphia, 224 years ago, some men tucked these words into the nation's new Constitution: "No state shall ... pass any ... law impairing the obligation of contracts..."

Those words, squeezed into a very long sentence in Article 1, Section 10, listing powers denied the states, became known as the "contracts clause." And it is playing havoc with modern-day public pension reformers, including Gov. Jerry Brown.

As widely interpreted — most importantly by the courts (or so we laymen are told) — the clause means that pensions promised state and local government workers on the day they were hired cannot be reduced without giving them a new compensating benefit.

In other words, some kid walks into a state office seeking a junior clerk job. He lands it. That constitutes a contract. The new hire is entitled to the pension benefit then in effect if he sticks around long enough to collect it — even if the subject of retirement perks never was discussed, as it surely would not have been.

"Employees are entitled to benefits in place during their employment," asserts the California Public Employees' Retirement System in a recent report.

"Promised benefits may be increased during employment, but not decreased, absent the employees' consent... The courts have established that this rule prevents not only a reduction in the benefits that have already been earned, but also a reduction in the benefits that a member is eligible to earn during future service."

That's a jaw-dropper, I suspect, for most private-sector workers. They don't enjoy such constitutional protection. They're covered by a federal law that basically guards only the pension benefits they've already earned.

As too many of us know, there has been an epidemic of private pension butcheries in the last decade. Companies simply have announced that they're freezing benefits. Employees will get what they've accrued — what they're vested in — but will earn no more in the future.

The company's new retirement plan will be a 401(k), where the financial risk is borne by the employee rather than the employer. Forget what, if anything, the worker was told when hired. The world has changed.

Naturally, this has created a great deal of pension envy among the vast majority of voters who don't work for a state or local government.

And it's at the heart of voter demands for public pension reform — with plenty of legitimate justification: The future liabilities of public pension systems are underfunded by hundreds of billions of dollars.

The deficit-ridden budgets of state and local governments need immediate relief from the escalating cost of pension contributions for current employees. And the long-term fiscal health of these governments requires a significant reduction in retirement benefits for future hires.

A poll in March by the Public Policy Institute of California showed that 74% of likely voters favored eliminating pensions and adopting 401(k)-type systems for new workers. And 57% thought pension plans should be reduced for current employees.

But the current employees' protection in the U.S. Constitution is fortified by a similar clause in the California Constitution: "A ... law impairing the obligation of contracts may not be passed."

Here's the worst kicker for private-sector taxpayers: There's a theory that current employees can't even be forced to contribute more into their pension plans.

Part of Brown's recent proposal to overhaul state and local government pensions is to require workers to pay a larger share of their retirement costs. Many already have agreed to through collective bargaining.

"One thing we know for sure under constitutional law," Brown told reporters, is "the employer can require higher contributions, and that is the most immediate and the biggest change that will make our pension plans more solvent."

Not so fast, says nonpartisan Legislative Analyst Mac Taylor. He's also certain, but in the opposite way of the governor.

The analyst, in a recent report, called it "a legal and collective bargaining minefield," adding that "our reading of California's pension case law is that it will be very difficult — perhaps impossible — for the Legislature, local governments or voters to mandate such changes." ♦

By George Skelton Capitol Journal

Police Officers Research Association of California

CHAPTER MINUTES - TUESDAY, DECEMBER 6, 2011

The December chapter meeting was held at the Fresno DSA Office. The meeting was called to order by Chapter President Isaac Torres at 1905 hrs. After self – introductions, President Torres led us in the pledge of allegiance. We observed a moment of silence for those officers killed in the line of duty, especially for Officer James Capoot, Vallejo Police Department, EOW: November 17, 2011.

Chapter Associations Represented: Eight – Fresno DSA, Hanford POA, Clovis POA, Madera DSA, Fresno DAIA, Merced POA, Fresno POA and Fresno County PSMA.

Those attending the meeting:

Isaac Torres. *Fresno DSA Vice President / Chapter President*
Chris Barker. *Hanford POA / Chapter Vice President*
Mike Cavallero. *Fresno POA / Chapter Secretary – Treasurer / RAM*
Jim Henderson. *Clovis POA / Chapter Director*
Eric Schmidt *Fresno DSA President & Director at Large*
Jacky Parks *Fresno POA President & Director at Large*
/Executive Committee – Region II
Jim Watson. *Fresno POA / Chapter PAC Representative*
Ron Cottingham *PORAC President*
Mike Durant *PORAC Vice President*
Scott Jackson *Madera DSA*
Manuel Flores *Fresno DSA Secretary*
Cory Mathews *Hanford POA President*
Brent McCreary. *Hanford POA 1st Vice President*
Keith Pelowski *Merced POA President*
Dan Dabney. *Merced POA*
Gilbert Sanchez *Fresno County PSMA*
Randy Waltz *Fresno DAIA*
Scott Sobel *Clovis POA*
Bill Trollinger. *Fresno POA 1st Vice President*
John Conlee *Fresno POA 2nd Vice President*
Damon Kurtz. *Fresno POA*
Matthew Pap *Fresno POA*
Pat Dalbec *Fresno POA*
Garry Snow *Fresno POA*
Bill Biggers *Fresno POA*
Andy Schlenker *Modesto PMA / LDF Chairman & Region II Trustee*
Paul Harrison. *Myers – Stevens & Toohey*
Cindie Kiesz. *California Casualty*
David Folia. *AFLAC for PORAC*
Monique Runge. *Marquis Capital Solutions*
Heather Jackson. *Guest*
Marsha Cavallero. *Guest*
Merle Ruiz *Guest*

Special Presentation: Newly elected Chapter Director Jim Henderson presented outgoing Chapter Director Scott Jackson with a plaque from the chapter in recognition for his service at Chapter Director from November 2007 to November 2011. Fresno POA President Jacky Parks also made a presentation to him on behalf of Fresno POA.

Secretary Mike Cavallero commended Scott and his wife, Heather, for writing the software program for the Credentials Committee. PORAC has been using the program at Conference since 2003. It has streamlined the check-in process and facilitated vote tabulation. The chapter members thanked Scott and Heather for their work on the Credentials Committee and their service to PORAC and its members.

Swearing In of Chapter Officers: PORAC President Ron Cottingham swore in the chapter officers – President Isaac Torres, Vice President Chris Barker, Secretary – Treasurer

Mike Cavallero and PAC Representative Jim Watson. Chapter Director Jim Henderson was sworn in at Conference.

Approval of Minutes: President Torres asked for a motion to approve the minutes from the October 18, 2011 chapter meeting.

Upon a motion duly made by Bill Trollinger, second by Scott Sobel, to approve the minutes from the October 18, 2011 chapter meeting as submitted.

The motion carried.

Financial Report: Treasurer Mike Cavallero reported the balance in the chapter checking account as of October 31, 2011 was \$9,013.69. The November checking statement had not been sent out in time for this chapter meeting.

Director's Report: Director Jacky Parks gave an overview of the board meetings held before and after Conference. At Conference, President Cottingham, Vice President Durant and Treasurer Blanco ran unopposed and were re-elected. Five of the six bylaw amendments were approved by the members. The bylaw amendment that would have allowed only active members to be elected to statewide office and to the Executive Committee was rejected by the members.

President Cottingham spoke about the upcoming fight we will have to defeat the “Paycheck Deception” initiative that has qualified for the November 2012 ballot. The Alliance for a Better California has been brought back together and PORAC will be as Involved with the Alliance as it was during 2005.

Legislative Report: Director Parks reviewed the legislative proposals PORAC will support in 2012. The legislature will reconvene at the beginning of January 2012.

PAC Report: PAC Rep Jim Watson said the chapter PAC/PIC balances as of November 30, 2011 were not available for this meeting. There were not other PAC issues for this meeting.

LDF Report: Trust Chairman Andy Schlenker gave an overview of his Conference report. He spoke about various criminal, administrative and civil cases that the trust is dealing with at this time.

There were no panel attorneys at his meeting.

IBT Report: Trustee Jacky Parks spoke about the CLEA law suit filed against the PORAC IBT. He also gave provided a summary of the IBT meeting prior to Conference.

Paul Harrison, Myers – Stevens & Toohey, said the LTD Plan now has over 20,000 members and he spoke about the group term life plan.

David Folia, AFLAC for PORAC, reminded the members that have AFLAC about the wellness benefit and said he would help members file their claims for this benefit.

Cindie Kiesz, California Casualty, reported they have lowered their auto rates by 11% effective January 1, 2012.

Monique Runge, Marquis Capital Solutions, gave an overview of the services she can provide in the area of mortgage planning to help our members.

RMT Report: Director Parks reported Terry Moore, Chico POA and RMT Region II Trustee, is now chairman of the RMT.

RAM Report: Mike Cavallero reported that as of this date, membership in RAM was 5,494 and that 1,536 were in LDF

Plan V.

Association Reports:

Fresno DSA: Eric Schmidt reported the county board of supervisors has voted to impose a 9% pay reduction on approximately 4,100 county workers represented by SEIU Local 521. The DSA and its members are not affected by this.

Hanford POA: Cory Mathews said the mayor has stepped down and the effort to recall him has been stopped. City elections will take place in November 2012.

Clovis POA: Jim Henderson said they continue to lose officers. Several years ago, Clovis PD had 125 officers. Currently their staffing is approximately 90 officers. They also have 22 officers on light duty.

Fresno DAIA: Randy Waltz reported they are hiring six (6) senior investigators and are also looking to hire a chief investigator.

Madera DSA: Scott Jackson said their members have approved a 2 year MOU that will expire on December 31, 2013.

Merced POA: Keith Pelowski told us he is stepping down as president of their association. Joe Deliman will be the new president and Dan Dabney will be the new vice president. They have begun negotiations with the city.

Fresno County PSMA: Gilbert Sanchez said there was nothing new to report.

Fresno POA: Jacky Parks updated everyone on the latest “doom and gloom” e-mail from the city manager regarding the city’s financial situation. The FPOA’s current MOU does not expire until June 30, 2015. Jacky invited everyone to the FPOA Annual Christmas Social on Friday, December 16, 2011 at the FPOA Office from 4:00 PM to 8:00 PM.

Old Business: None

New Business: The chapter set the following dates/ locations for its 2012 meetings.

January 17, 2012 Clovis
February 21, 2012 Merced
March 20, 2012 Hanford
April 17, 2012. Madera
May 15, 2012 Fresno
June 19, 2012 Fresno DSA Office
July 2012. Dark – No Meeting
August 21, 2012 Merced
September 18, 2012 Clovis
October 16, 2012 Fresno POA Office
November 2012 Dark – No Meeting due to Conference
December 4, 2012 Fresno DSA Office
Secretary Cavallero will send out copies by e-mail.

Good and Welfare: The chapter thanked the Fresno DSA for holding the meeting at their office and for hosting the bar.

Next Meeting: The next chapter meeting will be on Tuesday, January 17, 2012 in Clovis. The meeting location will be in the notice.

Adjournment: President Torres adjourned the meeting at 2100 hrs.

Respectfully submitted,

Mike Cavallero, *Chapter Secretary*
Isaac Torres, *Chapter President*

Death of an Officer Leaves Scars on Others

By Mary Toothman - THE LEDGER
Published: Tues., Jan. 3, 2012 at 12:44 a.m.

LAKELAND | When news broke that police Officer Arnulfo Crispin was clinging to life after being shot last month, the community erupted with sorrow.

The outpouring of emotion, the tremendous show of support for his family, friends and fellow law enforcement officers is indicative of the depth of loss felt when Crispin later died. At his large, grand funeral, law officers and others packed the church. More than 3,000 gathered to salute the 25-year-old, who was shot to death on duty while searching men in a park.

The funeral is over, but for some who were most profoundly impacted by his death, the horror of it is not.

When an officer is killed in the line of duty, it leaves a mark on the hearts and minds of others in law enforcement, who experts say are particularly vulnerable to the emotional fallout of seeing someone killed doing the same job they do.

Nationally, the number of police officers shot to death made last year one of the deadliest ever for law enforcement.

According to figures recently released by the National Law Enforcement Officers Memorial Fund, 173 officers were killed in the line of duty. That's a 13 percent increase from the year before, when 153 died.

The largest number of fatalities was reported in Florida, where 14 officers were killed.

'WE WILL DRAW ON EACH OTHER'

According to experts who work with officers traumatized by the deaths of colleagues, they often blame themselves. Survivor's guilt is rampant.

"When one of your colleagues, someone you sit beside in roll call, is killed in the line of duty, or someone who rushed to support you when you needed them. ... Oftentimes it is just an overwhelming feeling," said Polk County Sheriff Grady Judd. "You feel like you let them down, because you weren't there in their time of need."

The law enforcement community overall is exposed to year-round stress, trauma and sadness as it deals with local crime and events. The loss of a fellow officer compounds that.

Lakeland Police Chief Lisa Womack said just as officers work as a team to protect the community, they work as a team to heal.

"This has been extremely difficult on all members of our department, not just on me as the chief," Womack said.

"It hits everyone the same. However, as the chief, I am not only responsible for the health and well-being of those directly involved, I have to make sure everyone in the agency is taken care of.

"As we continue to move forward, we will draw on each other for strength and healing. This is a strong department, and we will get through this in time."

Professional and peer help is available at the Lakeland

Police Department, where Crispin's squad received an extra level of care after his death.

"They do encourage them (officers) to talk a lot," said Ann Dinges, LPD spokeswoman. "They have all been encouraged to talk about it; don't hold it inside because it'll just eat at you. Everybody looks out for everybody else. And that's what everybody was told at the time that it happened: If you see something or you feel that somebody is hurting or holding it in, talk to them."

Sheriff's Deputy Karen Rieger Hearth said she is having a difficult time in the aftermath of Crispin's death.

From the time the ambulance carrying her friend wheeled up to the hospital after the shooting, Hearth spent many hours by his side.

"It's still hard, still fresh," she said. "I was able to say goodbye, but it doesn't fix the hurt, the sadness, the anger."

SUPPORT MATTERS

In a letter to the editor published in The Ledger, LPD Officer Michael Roberson thanked the community for its respect and strong show of support in the wake of Crispin's death.

"I was one of the first officers to arrive on the scene," he said. "As a police officer, we all realize this is a risk of our job but hope we will never face this at any time during our career."

When it does happen, however, agencies have systems in place to help.

Like LPD, the Sheriff's Office takes steps to ensure a variety of help is available for its law enforcement officers, Judd said.

"A death like this affects different people in different ways," he said. "As an administrator, we have to be sensitive to that. At the Sheriff's Office, we have a staff psychiatrist that we refer our deputies to because we want to ensure the very best stay that way."

Sometimes that has to come in the shape of an order, he said.

"They get help whether they want it or not if signs are there that an officer may be troubled," Judd said. Supervisors are trained to be on the lookout for possible issues. The nature of their jobs tends to draw some officers inward, unwilling to address emotional problems out of fear it might be a weakness.

"Any time we are involved in a horrific event involving use of force, of violence, it is mandated that we go," Judd said. "We make sure that our deputies go, and they just have to take the ego out of it."

It is normal to struggle with such events, mental health professionals say, and many do need help.

Treatment can be crucial, said Dr. Harry Croft, a board-certified psychiatrist who has evaluated more than 6,000 military veterans with post-traumatic stress disorder.

Time, alone, is not enough to heal those who suffer, he said.

"Vietnam was over for most of these guys prior to 1975," Croft said. "For 40 years, they have been away from the traumatic experience. If time, alone, were going to heal the process, we would expect that 30 to 40 years would be time enough to be healed."

Facing the problem is part of the solution, he said. "The treatment involves techniques that help you face the demons somehow, and that's what makes you better."

UNFORGETTABLE

Even though officers see more death than those in other lines of work, it doesn't make them impervious to the emotional fallout.

"Police are, first of all, human," said Chaplain Emile H. Hawkins, who works with Lakeland police. "They are husbands, wives, fathers, mothers, sisters and brothers. They feel all of the emotions that any other person would feel when confronting issues such as the death of a colleague.

"However, one of the differences is the fact that officers are asked to almost immediately get back out there and do their jobs."

Sometimes that's not easy. An officer grieving the loss of a friend in the line of duty can't just burst into tears and leave the room.

Hawkins said he has seen all kinds of reactions.

"Because of the nature of their jobs, they are asked to a large degree to place their emotions on a shelf and perform their jobs," he said.

"The proverbial 'get over it' really never happens. What tends to happen is that the demands of life take over, and people busy themselves so they don't have to stop functioning.

"Everyone grieves differently. Some cry. Others find themselves laughing instead of crying. Some become so angry that without recognizing it, they become embittered and shut out all of those they would otherwise be close to on a daily basis, including spouse, children and friends."

It can impact friends, family and coworkers, and Judd said help is made available to all those groups.

"I remember clearly back to 1981 when (Polk Deputy Theron) 'Terry' Burnham was killed," Judd said. "We went to high school together. I sat beside him in the police academy. I remember that day just like it was today."

Burnham was killed Jan. 8, 1981. He was one of three people slain in a drug-fueled murder rampage by Paul Beasley Johnson of Eagle Lake. Johnson is on Florida's death row.

The memories are what will carry forward, Judd said.

"A lot of this acute pain and acute stress that they suffer immediately after, with the appropriate support will fade or dull over time," he said. "But you not only never forget; you don't want to ever forget." ♦

For Cops, Holidays Comes at a Price

by PORAC (Peace Officers Research Association of California) on Saturday, December 24, 2011 at 9:50am

By PORAC President Lt. Ron Cottingham

This week, the National Law Enforcement Officers Memorial Fund website highlights a statistic that was likely very startling to many members of our community, but was not much of a surprise to myself and those I work with. According to their chart, as of this week law enforcement fatalities have increased by 18% from this time last year. In addition, firearms-related fatalities are up by 23%, with 65 peace officers succumbing to gun violence.

I am the President of the Peace Officers Research Association of California (PORAC), the largest statewide organization of public safety members in the United States, with over 63,000 law enforcement members. We see firsthand the dangers on our streets. The increase in peace officer deaths is intolerable. California public safety officers put their lives on the line every day to protect our communities.

Our Associations in Cathedral City, Hawthorne, Alhambra, San Diego and most recently Vallejo have all experienced the heartbreak of losing one of their own. We cannot put into words the sorrow felt by these officers' families, colleagues, friends and neighborhoods. These men were pillars of their communities. They were husbands, fathers, brothers, uncles, friends and coaches. Many of you have seen the outpouring of support since Vallejo lost Officer Jim Capoot on November 17th, just a week before we all

took time to be with family in celebration of Thanksgiving. He left behind three daughters and a loving wife, not to mention an adoring high school girls' basketball team and a department-worth of close colleagues. The community of Vallejo is still reeling.

During this festive holiday time of year, while many are celebrating the season and enjoying family and friends, for officers it is the most dangerous time of year. New Year's Day, Christmas Day and Christmas Eve have historically been the deadliest days for law enforcement nationally, with an average of 106, 85 and 84 line of duty deaths each day, respectively.

Last week, CNN.com interviewed National Law Enforcement Officers Memorial Fund CEO Craig Floyd about the jump in officer deaths, where he stated, "I think this is the strongest anti-government sentiment in our country, similar to the 1970s, the deadliest decade in law enforcement."

While our country and our state are dealing with unprecedented challenges, it is important to remember the primary goal of government is public safety.

We understand the economic frustrations as we deal with the worst economy many of us have ever seen and the concomitant responsibility of increased workload. We are neighbors and community members and we

want to come together to move forward to keep all of us safe.

As we near the closing of this year and look towards next year, we know that there will continue to be difficulties. Most of our agencies have faced serious budget cuts over the last few years. Our members have worked together to find solutions to the financial woes of their cities, counties and state. However, according to reports from the Law Enforcement Management and Administrative Statistics report and the Department of Justice Community Oriented Policing Services Division, staffing levels are down from 250 officers per 100,000 people in 2008 to a mere 181 officers per 100,000 nationwide.

We are doing everything we can to make the best with what resources we have. But the dangers are real. And if our families aren't safe, nothing else matters. Be safe.

Ron Cottingham is the President of the Peace Officers Research Association of California (PORAC). PORAC was founded in 1953 as a professional federation of local, state and federal law enforcement associations and is the largest law enforcement statewide law enforcement organization in the nation, representing more than 63,000 public safety members and 910 local public safety associations. ♦

Policing in a dangerous time

Anyone hoping we would see a downturn in assaults on police officers – in Los Angeles and nationwide – has to be deeply disappointed by statistics released last week by LAPD Chief Charlie Beck.

Chief Beck reported to the Police Commission that assaults on LAPD officers are up 26.7 percent this year compared with 2010. He noted that as assaults on police officers increase, so do the number of officer-involved shootings – up 58.8 percent this year.

The Chief's reports were concurrent with other somber news. Police officer deaths in the line of duty have increased 14 percent across the U.S. compared to last year, according to a preliminary report released by the National Law Enforcement Officers Memorial Fund.

Firearms-related deaths were the number one cause of officer fatalities nationwide, a change from previous years. "For the first time in 14 years, firearms-related deaths will outnumber traffic and 'other'-related deaths," said Craig Floyd, chairman and CEO of the fund, in a recent CNN article.

With a total of 10 fatalities, California was fourth in line of the states with the highest number of fatalities, just behind New York, Florida and Texas (data as of December 13, 2011). The 14 percent increase can be attributed to factors including budget cuts and a surge of violence toward police officers, according to Floyd. "We're hearing about more brazen, violent activity today, more cold-blooded murders," Floyd told CNN.

This increased violence toward officers is a solemn reminder of the dangers that police officers face on a daily basis. We again lament the stark disconnect between falling crime rates and assaults on police officers. There's no compelling, clear evidence why this is occurring. All we can say with certainty is that despite declining crime statistics, policing remains a very dangerous profession.

To our law enforcement brothers and sisters, as the end of 2011 draws near, may you never forget the fellow officers that gave the ultimate sacrifice of their lives for the protection of others, and may you always look out for the safety of your colleagues as you protect and serve your communities.

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Ed Howe

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