



Sheriff's Office Training Bulletin

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SWORN PERSONNEL SHALL UNDERSTAND THE PROVISIONS OF THE POLICY MANUAL PERTAINING TO PROTECTED INFORMATION.

Sworn personnel must have a complete understanding of Sheriff's Office policy regarding protected information. All personnel shall be familiar with the policy and what it contains. Policy 804 establishes the Sheriff's Office policy regarding protected information. The following are excerpts from that policy. *Sworn personnel must be familiar with the entire Policy as stated in the Policy Manual.*

SCOPE

This policy addresses the protected information that is used in the day-to-day operation of the San Mateo County Sheriff's Office and not the public records information covered in the Records Maintenance and Release Policy.

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New Jail Mail Procedures



FROM THE TRAINING MANAGER:

I'd like to discuss POST and STC, including their similarities and differences. This month, I'll discuss their different roles, responsibilities, functions, and why one person may fall under one, the other, or both. Let's start with CA POST.

Many states have a Peace Officer Standards and Training (POST). California POST was established in 1959 to set minimum selection and training standards for California peace officers. Today, it is a certifying authority for most California law enforcement agencies and officers.

POST oversees Peace Officer standards and training. That means standards and training for any sheriff, undersheriff, or deputy sheriff that has police powers, performs police functions, and meets the training and other requirements imposed by law.

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DEFINITIONS

Definitions related to this policy include:

- ✓ Protected information - Any information or data that is collected, stored or accessed by members of the San Mateo County Sheriff's Office and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.
- ✓ Misuse - Any access and/or dissemination of CJI for unauthorized purposes are considered misuses of the system.

POLICY

Members of the San Mateo County Sheriff's Office will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, San Mateo County Sheriff's Office policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a

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background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Codes § 11142 and 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a Records Supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the San Mateo County Sheriff's Office may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy). Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should

CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

From the Range Master

Room Splitting vs. Pie-ing a Doorway (Single Deputy)

Hello everyone, as we continue our tactical training, most of you have learned how to clear a room by using the splitting technique. This technique is also known to most law enforcement as "pie-ing a room." Pie-ing a room means you look into the room, from outside the doorway, one section at a time as you slowly move to the other side. The problem with moving slowly across the doorway is, you are standing in the fatal zone where you are exposed and without cover and have an increased risk of getting shot. When you use your tactics, you should always ask this question. "What would I WANT the suspect to do." In other words, expecting to find the suspect helps prevent the shock of actually finding them, which also helps ensure a response not driven by surprise. Once you have that idea in your

generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of deputies, other San Mateo County Sheriff's Office members or the public is at risk. Nothing in this policy is intended to prohibit broadcasting warrant information.

RELEASE OF CORI TO FIELD PERSONNEL

Personnel shall not have access to CORI until a background investigation has been completed and approved.

CORI shall not generally be transmitted by radio, cellular phone, or through computer terminals to field personnel or vehicles except in cases where circumstances reasonably indicate that the immediate safety of the deputy or the public are at significant risk. Examples of situations where the transmission of summary criminal history information would be justified include a hostage situation or an armed suspect, however, a routine investigation or traffic enforcement stop would not be sufficient justification.

Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on

religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).
☆

OFFICERS UNLAWFULLY DETAINED FOUR MINORS IN A VEHICLE WITHOUT REASONABLE SUSPICION BY BLOCKING THEIR ABILITY TO EXIT THE VEHICLE.

Two police officers were on duty one evening. They met up with two other officers in a neighborhood known for drug and gang activity. As the officers were talking together, a driver approached, stopped her car and got out of the car. She told the officers that she lived nearby and stated that there were Black males in a parked vehicle on her street who were “acting shady.”

Based on the tip, all four officers drove to the location described by the reporting party and located the vehicle that matched the description given. The vehicle was legally parked. There were three young Black males inside. The vehicle

MISSION STATEMENT

The San Mateo County Sheriff's Office is dedicated to protecting lives and property and is committed to providing the highest level of professional law enforcement and correctional services. We pledge to promote public trust through fair and impartial policing and will treat all persons with dignity, compassion and respect.

COMMITMENT

We are committed to protecting life and property and preserving the public peace by acting professionally, with integrity, and without prejudice, even in the most challenging circumstances, when no one is watching, and on and off duty. We hold others accountable to the same standards and challenge any inappropriate behavior.

INTEGRITY

We are committed to ethics, equity and excellence. We understand that making a difference in the quality of life is an opportunity that policing and correctional services provides. We provide excellent service by respecting and upholding the rights and freedoms of all people in all our interactions, free from bias or stereotype, seeking to understand and help others by making a difference.

COMPASSION

We understand that sometimes we interact with the community during their most trying times. We are committed to treating all people with compassion, empathy, and respect; going the extra mile to ensure others feel safe, supported, included, engaged and valued; standing up for those who cannot stand up for themselves; and valuing others' life experiences.

INNOVATION

We promote an environment that encourages continuous improvement and innovation. We strive to be leaders in modern policing, acting on input and feedback from our communities and colleagues; constantly implementing best-practices; and exploring alternative solutions to current issues.

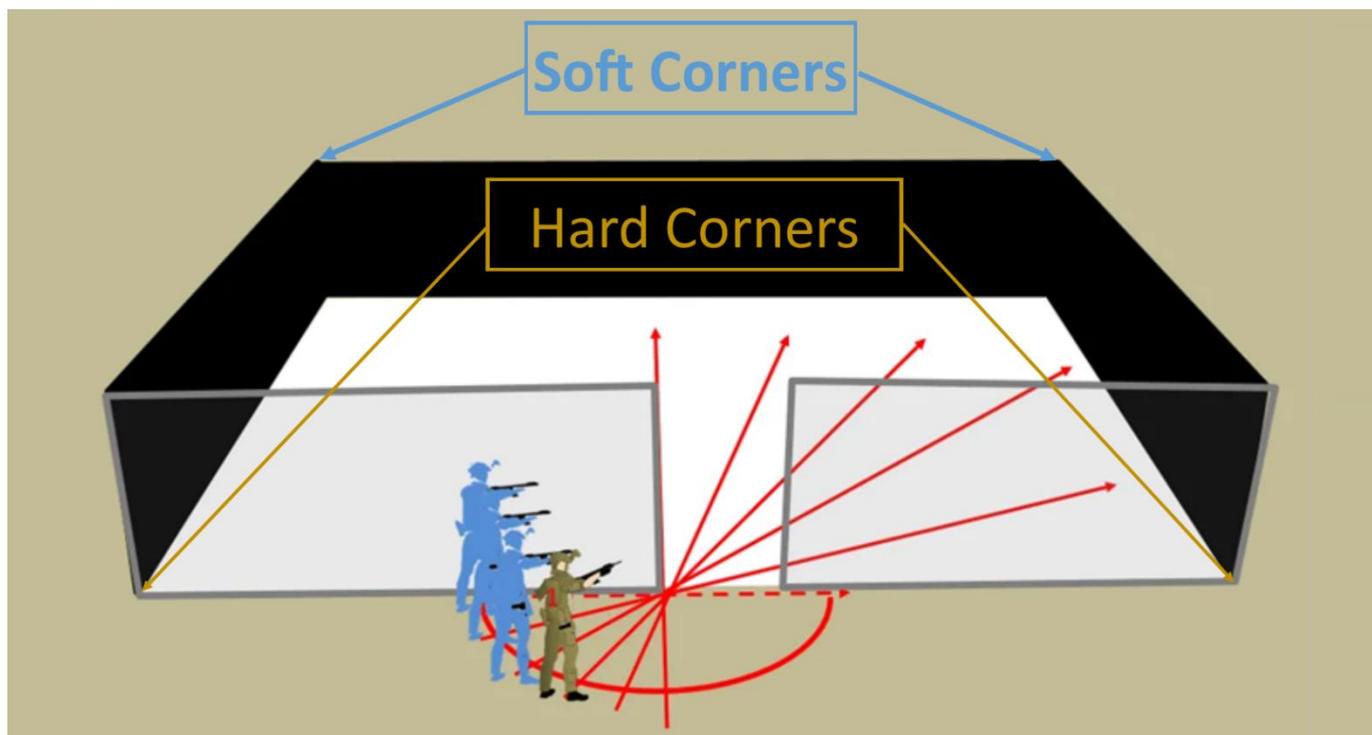
head, you should be able to move faster and more efficiently.

As you approach a door, recognize the soft corners (which can be seen from the doorway) and the hard corners (which can't be seen from the doorway). When you approach an open door, you should already be looking into the hard corner. Corners are where suspects hide. Do not get so close to the doorway that you (including your gun) can be seen from inside the room. This will also help you stay off the wall. Rubbing up against the wall can alert the suspect to your location and alerts them you are there.

Once you have decided to start splitting the room, you should move quickly across the doorway to the other side while looking into the opposite corner of the room. Moving quickly across

the doorway as you scan the visible portion of the room for suspects or other threats and gets you out of harm's way as soon as possible while allowing you to check the vast majority of the room. You have now checked the room from outside in the hallway and now must make the decision whether to go into the room (more on that later).

As you go through this training, please keep an open mind. These tactics are proven and save lives. Remember, every advantage you have not only protects your safety, it also helps protect the safety of the suspect. When you minimize the impact of surprise on your decision-making process, increase the time you have to make decisions, and act from a more secure distance / position; everyone is safer and the likelihood of a good outcome increases.



with the first two officers parked directly behind the suspect vehicle and one of the officers activated the vehicle's emergency lights. The other patrol vehicle parked behind the first patrol vehicle, but the officers did not activate the emergency lights.

The four officers got out of their patrol cars and walked over to the suspect vehicle. The officers positioned themselves at each door to prevent the three occupants from leaving. The officers asked the young man in the driver's seat to identify himself. He initially gave a false name. Eventually, he was properly identified. The officers confirmed that he was on probation and subject to a probation term authorizing warrantless search. The officers searched the vehicle and found a loaded firearm under the driver's seat, a pair of shoes that were evidence of the commission of a robbery, and a cannister containing a quantity of marijuana.

In the case of In re Edgerrin J., the California Court of Appeal ruled that the officers detained the occupants of the vehicle, which required a showing of reasonable suspicion of criminal activity.

In its written decision, the Court first stated, "The Fourth Amendment to the United States Constitution protects against unreasonable searches and seizures, including brief investigatory stops. . . . An officer may approach a person in a public place and ask if the person is willing to answer questions. If the person voluntarily answers, those responses, and the officer's observations, are admissible in a criminal prosecution. Such consensual encounters present no constitutional concerns and do not require justification. However, when the officer, by means of physical force or show of authority, has in some way restrained the liberty of a citizen, the officer effects a seizure of that person, which must be justified under the Fourth Amendment to the United States Constitution. When an individual submits to a show of authority, a seizure occurs if in view of all the circumstances surrounding the incident, a reasonable person would have believed he was not free to leave."

The Court concluded that the minors were

detained. The Court stated, "Two marked police vehicles pulled up behind the legally parked [vehicle]. . . . Even if a stop did not occur with the officers' arrival on the scene, it plainly occurred immediately thereafter when four officers stepped out of their vehicles after parking and walked to each door of the sedan for the admitted purpose of preventing its occupants from leaving. The minors were directed to roll down their windows, hand over proof of identification, and provide their names, addresses, and birthdays."

The Court further stated, "Although a brief investigatory detention need not be supported by probable cause, it must be based on reasonable suspicion that criminal activity is afoot—i.e., specific articulable facts that, considered in light of the totality of the circumstances, provide some objective manifestation that the person detained may be involved in criminal activity. The reasonable suspicion standard is objective in nature, based on the facts and circumstances known to the officer but without regard to the officer's subjective state of mind. Mere rumor or hunch do not suffice."

The Court stated, "Private citizens who report criminal activity generally have no bias or motive other than good citizenship, and therefore tend to be reliable. Tips are even more reliable where officers had the opportunity to see the tipsters, observe them face-to-face and evaluate their credibility. The tipster in this case spoke to officers face-to-face and revealed her address, providing some means of tracking her down. Although not established by [an officer's] testimony, it seems plausible that she was speaking from personal knowledge as someone who had just witnessed something she believed was 'shady' behavior."

The Court continued, "Even so, a reliability problem arises from the information the tipster conveyed. Although she contacted police in person and left identifying information, her tip provided only a vague and highly subjective characterization of the behavior she saw. What is 'shady' to one person may be unremarkable to another. Standing alone, nothing the tipster said was reliable in its assertion of illegality. Although officers confirmed the presence of Black males in

[the suspect vehicle] parked on the specified street, this could not cure the tip’s central defect—the car was legally parked, and the officers did not observe any indicia of criminal activity when they arrived. On this record, the citizen’s tip was insufficiently reliable as to any illegal behavior to provide a basis for a detention.”

The Court further stated, “In isolation, an allegation of ‘shady’ behavior is far too vague to suggest criminal activity. Even a reliable tip will justify an investigative stop only if it creates reasonable suspicion that criminal activity may be afoot.” ☆

Continued from page 1

POST works with the legislature and police agencies to establish standards for hiring and training. POST also conducts periodic audits to ensure participating agencies comply with those standards.

POST only applies to peace officers. Corrections falls under STC.

The California Board of State and Community Corrections (BSCC) is an independent body providing guidance and technical assistance to corrections throughout the state of California, from state prisons to temporary holding cells. Standards and Training for Corrections (STC) is the arm of BSCC charged with establishing standards and training for correctional personnel.

This may sound familiar, since the goals of both are similar: to set standards for selection and training. POST does this for peace officers while STC does this for correctional staff. However, while their missions may be similar, they are separate and very different (see below).

Either one by itself is self-explanatory. If you are a peace officer, POST ensures you meet the requirements set forth by law and regulation. This is the case with police agencies. If you are correctional staff, STC ensures you meet the requirements set forth by law and regulation. This is the case with jails and prisons.

The confusion comes when peace officers (Deputy Sheriffs) work in corrections. Because a Deputy Sheriff is a peace officer, they must comply with POST. However, if a Deputy Sheriff is assigned to corrections, they must comply with STC; meaning they fall under both POST and STC.

Being a Deputy Sheriff does not automatically qualify a person to work in corrections, they still must complete STC training. Luckily, STC gives them credit for the police academy, which is why they only have to complete the supplemental core course instead of an entire correctional academy.

Next month, I’ll go a bit more into POST, what they require, and what are the advantages of being a participating agency.

POST v STC	
CA POST	CA STC
Regulations found in CCR, PC, etc.	Regulations found in Title §15
Regulates Peace Officers	Regulates correctional staff
Maintains online records for each person / agency	Agency holds records and sends reports to BSCC
Has a 2-year training cycle following the calendar year	Has a 1-year training cycle following the fiscal year
Peace officers need 24 hours of training every 2 years	Correctional staff need 24 hours of training every year
Has specific training mandates and guidelines for periodic and recurring training	Generally, allows freedom at the agency level to determine what topics will be taught
Members must complete a POST-certified basic course (police academy) prior to assuming police powers and responsibilities	Members must complete a core course (correctional academy) <u>OR</u> a police academy <i>and</i> supplemental core course

