

Kelsey Barak

From: Amy Colbrunn
Sent: Monday, March 11, 2019 1:54 PM
To: Martha Guzman-Hurtado
Subject: FW: letter requesting support of SB230
Attachments: sb230 letter.docx

Amy Colbrunn

Assistant to the City Manager • City Manager's Office
[REDACTED]@fontana.org • Office: [REDACTED]

From: Billy Green [REDACTED]@fontana.org>
Sent: Thursday, March 7, 2019 2:48 PM
To: Ken Hunt [REDACTED]@fontana.org>
Cc: Amy Colbrunn [REDACTED]@fontana.org>
Subject: letter requesting support of SB230

Sir,

I would like to hand carry this letter to Senator Leyva and Assemblywoman Gomez-Reyes next week. I am submitting it to you for review and suggestions.

Thank you,
Billy



Billy Green

Chief of Police • Fontana Police Department
City of Fontana • 17005 Upland Ave • Fontana, CA 92335
[REDACTED]@fontana.org • Office: [REDACTED]

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CALIFORNIA



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Dear Senator Leyva,

I am writing this letter to ask for your support of *Senate Bill-230 Law Enforcement: use of deadly force: training; policies*. As you may be aware, this bill was introduced by Senator Anna Caballero and amends California Penal Code Section 196, which has not been updated since 1872. The bill also requires police agencies to address de-escalation tactics, medical aid requirements, officer's duty to intercede when they witness excessive force, and vulnerable person interactions in departmental use of force policies. Although this bill originated in the senate, there are several coauthors and supporters from both the upper and lower houses of our state legislature.

As a law enforcement leader, one of my fundamental responsibilities is to tenaciously protect the legitimacy of my officers in the service of our community. I believe this bill strikes a balance between the need to respond to citizen concerns regarding police use of force while providing those that wear the badge the support they need, while in the service of our communities.

Police-Community relationships are strained in many parts of our nation, with California being among the most stressed. We must commit to work together to ensure this concerning trend does not continue. To this end, I feel obligated to give you my strongest recommendation to support this proposed legislation and oppose *Assembly Bill 392*, authored by Assemblymembers Webber and McCarty. The Webber/McCarty proposal mandates police officers use of force to be *necessary and without alternative*, as opposed to the established *reasonable standard* currently used by the courts when determining appropriateness of officer actions. Applying a standard to officers which essentially requires them to analyze stimulus at super computer speeds while simultaneously predicting outcomes is unrealistic. This reckless legislation will undoubtedly be weaponized by those special interest groups hellbent on furthering the "Us versus Them" mentality. AB-392 is either poorly thought out or purposefully crafted to ensure effective proactive community policing becomes something of the past. Whatever the motivation for this dangerous legislative proposal; it is worthy of absolutely zero legitimate support.

I submit the following scenario for your consideration:

An officer arrives at the scene of a reported domestic violence situation. Upon arrival, the officer observes a man holding a gun to the head of a hysterical woman. The officer gives the gunman multiple commands to drop the gun and release the woman. The suspect refuses. The officer shoots the hostage taker and the victim safely rescued. It is later determined the gun the suspect was holding against the woman's head was unloaded. The fact the gun was not loaded was unknown at the time to both the officer and hostage.

SB 230- The officer would be justified in shooting the hostage taker based on the facts known at the time. It would be *reasonable* for the officer to believe the woman's life was in immediate jeopardy.

AB 932- . The officer would not be justified in shooting the hostage taker because the woman's life was not in immediate jeopardy. It was not *necessary* for the officer to shoot the suspect in order to rescue the woman based on the gun being unloaded.

The men and women of law enforcement keeping our community safe are dedicated to saving lives. I submit to you the absolute last thing any of them want to do when they begin their shifts each day is to have to shoot someone. The unfortunate reality is that despite what they want, police officers sometimes have to fire their weapon in the line of duty. Every officer is well aware an officer involved shooting will result in an extensive investigation, media coverage, close analysis of their individual personnel file, and a near certainty of civil litigation. Officer involved shootings are the furthest thing from being consequence free and are treated with the degree of scrutiny they deserve.

In closing, I would like to express my sincere appreciation to you for taking the time to read this letter. There is a need, in fact an obligation, for police leaders to constantly evaluate the effectiveness of efforts to provide public safety while monitoring the pulse of the community we serve. There is always a way to improve the service we provide while enhancing the relationship with those we serve. Senate Bill 230 will help us get there.

Respectfully,

Kelsey Barak

From: Mark Aranda
Sent: Sunday, April 21, 2019 4:33 PM
To: Steven Aranda
Subject: Fwd: PORAC Chapter Outreach Program
Attachments: PORAC Chapters and Legislators.xlsx; SB 230 Overview Fact Sheet_3 12 19.pdf; Sample AB 392_Opposition Letter_3 11 19.docx; Sample SB 230 Support Letter_3 11 19.docx

Detective M. Aranda

From: James Burton
Sent: Tuesday, March 19, 2019 11:21:49 AM
To: PD_POA; PD_PMA
Cc: Billy Green
Subject: FW: PORAC Chapter Outreach Program

Please take a few minutes to read up on AB 392 and AB 230 that are both proposed Assembly Bills introduced this year. In short, AB392 will fundamentally change use of force as we currently know it in law enforcement. Current law uses a reasonableness standard to judge force used to effect arrest, prevent escape or overcome resistance. It also does not require an officer to retreat from an arrest because of resistance.

The proposed AB 392 would change lethal force encounters from a reasonableness standard to necessary and requires that there be no reasonable alternative to the use of deadly force. The proposed changes also take away the protection that you need not retreat. In short, AB 392 will change PC 196 which defines justifiable homicide and could potentially open officers up to prosecution for deadly force encounters. AB 230 is another proposed bill with some changes but is supported by PORAC.

If you have an opinion on this topic, which you should, you can scroll down and find the link to send a pre-written email to our elected officials. There are also attached sample letters to send if you want. The sample letters both support AB 230 and Oppose AB 392. Again, these bills could make serious changes to law directly affecting law enforcement so please take the time to read up and forward your opinion.

James Burton

Captain • Fontana Police Department

██████████@fontana.org • Office: ██████████

From: Tony Bolanos [mailto:██████████@gmail.com]
Sent: Friday, March 15, 2019 12:49 PM
To: Aaron Harwick <██████████@murrietaca.gov>; Alex Raya <██████████@gmail.com>; Amanda Liabeuf
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Subject: Fwd: PORAC Chapter Outreach Program

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Message from PORAC President Brian Marvel.

There are attachments of sample letters to oppose 392 and support 230. I encourage all associations to send these letters out so Assemblymember Weber gets the message that LE opposes her Bill.

----- Forwarded message -----

From: **Brian Marvel** [REDACTED]@porac.org>
Date: Wed, Mar 13, 2019 at 6:40 PM
Subject: PORAC Chapter Outreach Program

Dear Chapter Presidents, PAC Chairs, SPAC and RAM:

This is of paramount importance!

Several weeks ago I sent out an email talking about getting the Chapters more involved in district outreach to legislators regarding PORAC's sponsored bill, **SB 230 by Senator Anna Caballero** (D-Salinas) and active opposed bill, **AB 392 by Assemblymember Weber** (D-San Diego).

As previously mentioned, it is critical that that your legislators hear from the people who live, work, and raise their families in their represented communities as we continue our efforts to defeat AB 392 (Weber) and pass SB 230 (Caballero).

For the remaining month of March and beginning of April, we are establishing a PORAC Chapter Outreach Program, wherein, all 14 chapter and association leaders will try and set meetings with their legislative representatives in their districts to discuss these very important bills. We are hoping the attached items, as explained below, will assist in these efforts:

1. PORAC Chapters and Legislators Chart: On this chart you will see tabs along the bottom for each chapter represented in PORAC. Within those individual chapter tabs, you'll find a list of Assemblymembers and Senators whose district represents 25% or more of the chapter. Each legislator's district office and contact information is also included to make your outreach more efficient. If you need more information about the legislator you are contacting, a simple google search can take you to their official website.
2. SB 230 Fact Sheet: This will be helpful to prepare for your meetings. Also, bring extra copies to your meeting as a leave behind document
3. Sample AB 392 Opposition Letter: You can use this letter as an example to draft physical letters to legislators from your associations/departments to oppose AB 392.
4. Sample SB 230 Support Letter: You can use this letter as an example to draft physical letters to legislators from your associations/departments to support SB 230.

In addition to the attachments, we encourage you to use the Digital Activation Portal by clicking on [this link](#) and pressing send on the pre-written email. By doing this, you can both help pass SB 230, which protects law enforcement and communities, and oppose the dangerous AB 392. This portal will generate a necessary message to California legislators that protecting our communities and our officers is of the utmost importance. It only takes a few seconds. **Please share this with your members and on ALL SOCIAL MEDIA platforms.**

This year, **California law enforcement is facing some of the most difficult challenges in decades.** However, we are truly proud that we have all come together to face these challenges, but more importantly, PORAC, along with the other large associations in the state are proactively leading the conversation on use-of-force.

Please encourage all of your association leaders and members to join in PORAC's Chapter Outreach Program. Our success with this effort will be measured by your commitment and participation in the program. We can not do this without you and your members actively participating in this process. We also need to motivate our family, friends and public safety supports too. If AB 392 passes, our working conditions will forever be changed!

All the best,

Brian

Brian R Marvel

President



Established 1953



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The fervent hope of all law enforcement is that the citizens we are sworn to serve and protect would remember and understand the price paid for their liberties and safety.

Honoring those who have given the ultimate sacrifice

Tony Bolanos
PORAC Executive Board / Inland Chapter Director
Ontario Police Officers' Association
Board Member / PAC Chairman
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