



**President**  
Ms. Liz Cottrell  
City of Anderson

**Vice President**  
Ms. Rachel Ancheta  
City of Dixon

**Treasurer**  
Ms. Jen Lee  
City of Rio Vista

**Secretary**  
Ms. Jennifer Styczynski  
City of Marysville

## **NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND POLICE RISK MANAGEMENT COMMITTEE MEETING AGENDA**

**DATE/TIME:** Thursday, August 4, 2022  
Meeting at 10:00 a.m. – 11:00 a.m.  
Lunch: 11:00 a.m.  
Training Session at 11:30 a.m.- 1:00 p.m.

**LOCATION:** Rocklin Event Center – Garden Room  
2650 Sunset Blvd  
Rocklin, CA 95677

**A - Action**  
**I - Information**

**1 - Attached**  
**2 - Hand Out**  
**3 - Separate Cover**  
**4 - Verbal**

### **MISSION STATEMENT**

*The Northern California Cities Self Insurance Fund, or NCCSIF, is an association of municipalities joined to protect member resources by stabilizing risk costs in a reliable, economical and beneficial manner while providing members with broad coverage and quality services in risk management and claims management.*

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PUBLIC COMMENTS**

*This time is reserved for members of the public to address the Police Risk Management Committee on NCCSIF matters that are of interest to them.*

- pg. 4    **D. CONSENT CALENDAR** **A    1**  
*All matters listed under the consent calendar are considered routine with no separate discussion necessary. Any member of the public or the Police Risk Management Committee may request any item to be considered separately.*

- pg. 5    1. Police Risk Management Committee Meeting Minutes – May 5, 2022

- E. RISK MANAGEMENT**

- pg. 9    1. **Police Risk Management Grant Funds** **I    1**  
*Marcus Beverly will provide an update on the Police Risk Management Grant funds. Marcus will review current and planned uses for the grants.*



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pg. 13	2. <b>General Liability Police Claims Analysis</b> <i>Summer Simpson will present an overview of police claim statistics and trends for the General Liability program and member cities.</i>	<b>I</b>	<b>1</b>
pg. 26	3. <b>Legislative Update</b> <i>The Committee members will receive an update on some bills introduced in the California Legislature of interest to police agencies.</i>	<b>I</b>	<b>1</b>
pg. 34	4. <b>Technology Discussion</b> <i>The Committee members will be asked to discuss their experiences with body cameras, robots, drones, vehicle, artificial intelligence and other similar technologies. The LEFTA Systems Shield Suite and the Live 911 system from Higher Ground will also be discussed.</i>	<b>I</b>	<b>1</b>
pg. 45	5. <b>Lexipol Grant Finder</b> Members will receive information about a service provided by Lexipol to identify, apply for, and manage grant opportunities.	<b>I</b>	<b>1</b>
pg. 55	6. <b>Firing Range Requirements and Sample MOU</b> The Committee is provided a sample Memorandum of Understanding (MOU) for outside agency use of a member's firing range that meets the requirements for NCC liability coverage.	<b>I</b>	<b>1</b>
pg. 62	7. <b>Recent Police Liability Updates</b> <i>An overview of recent court decisions and other news related to police liability for review and discussion.</i>	<b>I</b>	<b>1</b>
pg. 80	8. <b>Round Table Discussion</b> <i>The floor will be open to Police Risk Management Committee members for any topics or ideas that members would like to address.</i>	<b>I</b>	<b>4</b>
pg. 81	<b>F. INFORMATION ITEMS</b>	<b>I</b>	<b>1</b>
pg. 82	1. NorCal Cities FY 22/23 Organizational Chart		
	2. NorCal Cities FY 22/23 Meeting Calendar		

**G. ADJOURNMENT**

**UPCOMING MEETING**

Police Risk Management Committee Meeting - Thursday, November 2, 2022

pg. 83 **TRAINING SESSION at 11am**

The topic for the training will be *Social Worker, Therapist, Cop: Managing Today's Police Risk* presented by Kevin Allen



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*Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact Jenna Wirkner at Alliant Insurance Services at (916) 643-2741.*

*The Agenda packet will be posted on the NCCSIF website at [www.nccsif.org](http://www.nccsif.org). Documents and materials relating to an open session agenda item that are provided to the NCCSIF Police Risk Management Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2180 Harvard Street, Suite 460, Sacramento, CA 95815.*

*Access to some buildings and offices may require routine provisions of identification to building security. However, NCCSIF does not require any member of the public to register his or her name, or to provide other information, as a condition to attendance at any public meeting and will not inquire of building security concerning information so provided. See Government Code section 54953.3.*



BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item D.**

**CONSENT CALENDAR**

**ACTION ITEM**

**ISSUE:** The Police Risk Management Committee (PRMC) reviews items on the Consent Calendar, and if any item requires clarification or discussion a member should ask that it be removed for separate action. The PRMC should then consider action to approve the Consent Calendar excluding those items removed. Any items removed from the Consent Calendar will be placed later on the agenda during the meeting in an order determined by the Chair.

**RECOMMENDATION:** Adoption of the Consent Calendar after review by the PRMC.

**FISCAL IMPACT:** None.

**BACKGROUND:** The following items are placed on the Consent Calendar for approval. The PRMC may approve the Consent Calendar items as presented, or any individual may request that an item be removed for discussion and separate action may be taken during the meeting.

**ATTACHMENT(S):**

1. Police Risk Management Committee Meeting Minutes – May 5, 2022



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND  
POLICE RISK MANAGEMENT COMMITTEE MINUTES  
MAY 5, 2022**

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**MEMBERS PRESENT**

Chief Robert Thompson, City of Dixon  
Chief Brian Kalinowski, City of Galt  
Chief Matt Alves, City of Lincoln  
Chief Eric Reinbold, Town of Paradise  
Captain Quintain Ortega, City of Red Bluff  
Sergeant Greg Jensen, City of Rocklin

Lt. Andrew Bates, City of Folsom  
Chief Rodney Harr, City of Gridley  
Lt. Gil Zarate, City of Oroville  
Chief Joseph Wren, City of Placerville  
Chief Jon Mazer, City of Rio Vista

**GUESTS & CONSULTANTS**

Marcus Beverly, Alliant Insurance Services  
Tom Kline, Sedgwick  
Jim Ramsey, City of Elk Grove  
Jill Petrarca, Sedgwick

Jenna Wirkner, Alliant Insurance Services  
Amanda Tonks, City of Rocklin  
Shawn Millar, Sedgwick  
Ed Obayashi

**A. CALL TO ORDER**

Captain Ortega called the meeting to order at 10:01a.m.

**B. ROLL CALL**

The above members listed were present.

**C. PUBLIC COMMENTS**

There were no public comments.

**D. CONSENT CALENDAR**

1. Police Risk Management Committee Meeting Minutes – August 5, 2021
2. Police Risk Management Committee Meeting Minutes – November 4, 2021
3. Police Risk Management Committee Meeting Minutes - February 3, 2022

**A motion was made to approve the Consent Calendar as presented.**

**MOTION:** Quintan Ortega  
Nays: None

**SECOND:** Robert Thompson

**MOTION CARRIED**

**E. RISK MANAGEMENT**



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND  
POLICE RISK MANAGEMENT COMMITTEE MINUTES  
MAY 5, 2022**

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**E.1. Police Risk Management Grant Funds**

Mr. Beverly gave an overview of the Police Risk Management Grant Funds. We will include the grant funds in the 22/23 FY Budget. Members are encouraged to use the Grant Funds. If members have current Body Worn Camera programs, they can use the funds for other risk management resources. Anderson is the only member without a camera program.

**E.2 Legislative Spotlight**

Mr. Tom Kline provided an overview of bills introduced in the California Legislature in the 2022-2023 Legislative Session that if signed into law will affect police agencies.

AB 655- California Law Enforcement Accountability Reform Act

AB 1597- Shoplifting: increased penalties for prior crimes

AB 1603- Theft: shoplifting: amount

AB 1604- The Upward Mobility Act of 2022: boards and commissions: civil service: examinations: classifications

AB 1608- County officers: consolidation of offices

AB 1653- Property crimes: regional property crimes task force

AB 1673: California Fentanyl Abuse Task Force

AB 1836: Peace officers: mental health

AB 1946: Electric bicycles: safety and training program

AB 1947: Hate crimes: law enforcement policies

AB 2043: Bail Bonds

AB 2062: Local law enforcement hiring grants

AB 2229: Peace officers: minimum standards: bias evaluation

AB 2429: Commission on Peace Officers Standards and Training: assessment of training requirements

AB 2537: Vehicles: driver education

AB 2557: Peace officers: records

AB 2583: Peace officers: training

AB 2773: Traffic or pedestrian stops: notification by peace officers

SB 882: Advisory Council on improving Interactions between people with intellectual and Developmental Disabilities and Law Enforcement

SB 960: Public employment: peace officers: citizenship

SB 1088: Public employment: law enforcement labor relations

SB 1129: Felony murder: resentencing: peace officer victims

SB 1389: Vehicles: traffic stops

SB 1416: Mental health services: gravely disabled persons

SB 1464: Law enforcement: public health orders



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND  
POLICE RISK MANAGEMENT COMMITTEE MINUTES  
MAY 5, 2022**

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The City of Dixon discussed using CueHit. CueHit sends a text survey to the caller after they have an interaction with an officer.

The Town of Paradise purchased new Body Worn Cameras from Utility.

**E.3. Technology discussion**

Mr. Kline gave an overview on TurnSignl, which provides real time 24/7 legal advice for drivers stopped by law enforcement or involved in an accident.

**E4. Firing Range- Coverage Discussion**

Mr. Beverly discussed the firing range exclusion in the MOU. Members are encouraged to review practices and use of firing ranges for other agencies or private parties and be aware of the coverage restrictions.

**18) Firing Ranges**

**Claims arising out of the private use of a firing range** owned, operated, or maintained by a *covered party* where such private use is sanctioned by the *covered party*, except where such use is by

a covered individual as defined in definition (8)(d). This exclusion does not apply to such private use

where all of the following conditions are met:

(a) **A qualified range master is present at all times** while the firing range is being utilized

(b) **The firing range is only provided for the additional use of law enforcement divisions of other public agencies, and police academies**, herein defined as California P.O.S.T. (Peace Officers Standards & Training) Certified Basic Academies

(c) **Any agency using the firing range has provided an indemnification agreement** which assumes full responsibility by the user agency for all liability arising out of their activities; and

(d) **The user agency has provided liability coverage in an amount of not less than \$1,000,000** and has also provided a certificate of coverage which names the CJPRMA member as an additional covered party.

**E.5. ROUND TABLE DISCUSSION**

Mr. Kline discussed the August 4, 2022, Training. The topic for the training will be Social Worker, Therapist, Cop: Managing Today's Police Risk.

Lexipol has offered to conduct training and have announced an extended menu of POST certified training as well as a service to provide and track training.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND  
POLICE RISK MANAGEMENT COMMITTEE MINUTES  
MAY 5, 2022**

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**F. INFORMATION ITEMS**

1. NCCSIF 2021-22 ORGANIZATIONAL CHART
2. NCCSIF 2021-22 MEETING CALENDAR

**G. ADJOURNMENT**

The meeting was adjourned at 11:10a.m.

**Next Meeting Date: August 5, 2022**

Respectfully Submitted,

\_\_\_\_\_  
Jennifer Styczynski, Secretary

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





BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.1.**

**POLICE RISK MANAGEMENT GRANT FUNDS**

**INFORMATION ITEM**

**ISSUE:** Over the last nine years the Board has approved a total of \$450,000 in grant funds for Police Risk Management. The Grant Funds Historic Usage Report is included to ensure members are aware of the available grants for their agencies.

**RECOMMENDATION:** Review grant funding and uses – information only.

**FISCAL IMPACT:** None expected from this item.

**BACKGROUND:** The Board approved a FY 14/15 budget of \$50,000 for the purchase of body cameras for NCCSIF's police agencies. The funds were initially used to purchase a total of 58 cameras directly from VieVu at a quantity discount. The FY 15/16 and FY 16/17 budgets of \$50,000 were allocated to the members to fund their body camera programs. In FY 17/18 members with a body camera program in place were first able to use the funds for other safety and risk management uses such as data storage, protective equipment, load-bearing vests, and wellness services. Each year since then \$50,000 has been allocated to member police agencies for safety and risk management uses.

**ATTACHMENT(S):**

1. Risk Management Grant Funds Historic Usage Report
2. Police Risk Management Grant Request Form

NCCSIF POLICE RISK MANAGEMENT GRANT FUNDS HISTORIC USAGE REPORT

		FY 14/15 \$50,000 Grant Camera Allocation	FY 15/16 \$50,000 Grant Fund Allocation	FY 16/17 \$50,000 Grant Fund Allocation	FY 17/18 \$50,000 Grant Fund Allocation	FY 18/19 \$50,000 Grant Fund Allocation	FY 19/20 \$50,000 Grant Fund Allocation	FY 20/21 \$50,000 Grant Fund Allocation	FY 21/22 \$50,000 Grant Fund Allocation	FY 22/23 \$50,000 Grant Fund Allocation	FY 21/22 Member Specific Police Fund	TOTAL GRANTS	YTD Reimbursements Made	REMAINING FUNDS 7/5/22	Reimbursement Notes/Plan Usage
1	Anderson	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090		\$12,120	
2	Auburn	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$18,118	\$6,122	4/25/17 \$6,280.56 (12 VieVu LE4 mini body worn cameras) 9/8/17 \$3,029.18 (4 VieVu LE4mini & 1 multi-dock LE4) 2/5/19 \$2,810.26 portion of invoice (16 VieVu LE5 body worn cameras) 3/24/21 \$5,998.49 Body Cameras
3	Colusa	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$3,030	\$9,090	7/27/17 \$3,030 (concealable vests with load bearing carriers)
4	Corning	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$5,592	\$6,528	9/6/16 \$3,291.26 (4 VieVu LE4 body cameras) 2/15/19 \$2,301.12 firewall
5	Dixon	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$5,000	\$18,180	\$15,926	\$13,314	4/20/17 \$6,060 (30 Wolfcom Vision 1080p body camera with rotatable camera head and 32GB memory) 6/1/18 \$2,934.38 (3 Wolfcom Vision 1080p body camera + training cost for force options simulator) 3/6/20 \$2,631.63 (5 Wolfcom Body Camera + 1 docking port) 8/26/20 IA PRO Program
6	Elk Grove*	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$21,210	\$3,030	1/11/18 \$9,090 (WatchGuard Vista HD body cameras) 3/20/19 \$3,030 (portion of Cordico Wellness Program) 11/4/19 \$3,030 (portion of 2019 BWC purchase/Vista HD) 5/6/22 \$6,060 (portion of Cordico Wellness Program)
7	Folsom	5	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$400,000	\$22,725	\$22,725	\$407,575	10/5/16 \$7,576 (8 VieVu LE4 body camera and 1 multi-dock network station) 12/16/20 \$15,150 Iapro software
8	Galt	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$21,210	\$3,030	1/25/18 Plan to use fund /BWC program under consideration 2/28/22 AXON Body Worn Cameras
9	Gridley	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$4,543	\$7,577	9/6/16 \$3,291.26 (4 VieVu LE4 body cameras) 3/28/18 \$1,252 (one VieVu LE5 camera and seven Public Safety Vests) 8/7/20 \$2,700.41 (load bearing vests and flashlights)
10	Ione	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$10,605	\$1,515	11/2/16 \$1,655.23 (2 VieVu LE4 body camera) 9/8/17 \$1,736.24 balance (2 VieVu LE4 body cameras and 2 LE4 Cradle) 5/21/18 \$1,234.14 (2 VieVu LE5 body camera and license for Veripatrol Software) 5/28/21 Lava Dog Fire and Police Supply ( Riot helmets, batons, gas masks and filters) 3/7/22 LENSLOCK Cameras
11	Jackson	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$9,090	\$3,030	4/20/20 Jackson PD in process of acquiring new body cams. 1/7/2021 \$9,090 Vista HD Wearable Camera User Guide
12	Lincoln	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$18,181	\$6,060	10/5/16 \$6,060 (8 VieVu LE4 body cameras) 2/25/21 \$11,632 (14 Watchguard body worn cameras)
13	Marysville	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273		\$13,635	\$4,920	\$13,260	8/18/17 \$4,919.87 (6 VieVu LE4 body cameras)
14	Nevada City	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$7,575	\$4,545	2/6/18 \$4,545 (Body Camera Storage and Equipment cost for 2015-2017) 7/15/19 \$1,515 (Axon Body Camera Storage) 4/17/20 \$1,515.00 (Body Camera Storage Fees) 3/31/21 \$1,515.00 (Body Camera Storage Fees)
15	Oroville	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$12,120	\$12,120	9/23/16 \$3,010 (Video Storage Buffalo Terastation) 10/5/16 \$3,050 (5 VieVu LE4 body cameras) 11/20/17 \$1,174.00 (1 Tactical Armor-Ballistic Vest) 9/4/18 \$4,886 (20 VieVu LE5s body cameras)
16	Paradise	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273		\$13,635	\$9,141	\$9,039	11/15/16 \$762.14 (5 flashlights) + \$1,477.28 (1 VieVu LE4 multi-dock station) 3/14/17 \$2,305.58 (Ballistic Vests) 5/3/19 \$1,895.50 (five load bearing vests) 8/7/20 \$2,700.41 (load bearing vests and flashlights)

NCCSIF POLICE RISK MANAGEMENT GRANT FUNDS HISTORIC USAGE REPORT

Member	FY 14/15 \$50,000 Grant Camera Allocation	FY 15/16 \$50,000 Grant Fund Allocation	FY 16/17 \$50,000 Grant Fund Allocation	FY 17/18 \$50,000 Grant Fund Allocation	FY 18/19 \$50,000 Grant Fund Allocation	FY 19/20 \$50,000 Grant Fund Allocation	FY 20/21 \$50,000 Grant Fund Allocation	FY 21/22 \$50,000 Grant Fund Allocation	FY 22/23 \$50,000 Grant Fund Allocation	FY 21/22 Member Specific Police Fund	TOTAL GRANTS	YTD Reimbursements Made	REMAINING FUNDS 7/5/22	Reimbursement Notes/Plan Usage
17 Placerville*	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$10,105	\$2,015	12/28/17 \$3,970.32 (4 Tactical Armor-Ballistic Vests) 10/3/19 \$3,674.75 (Fitness Equipment) 11/18/20 \$1,077.49 (Treadmill) 9/29/21 \$1,382.87 (Kettlebell, Resistance bands, under desk bike pedal, weight bench, battle rope)
18 Red Bluff	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273		\$13,635	\$14,052	\$4,128	2/17/17 \$1,473.74 (Apex Body cam storage remediation) 10/18/17 \$3,071.26 (5 VieVu LE4 body cameras) 1/25/18 Plan to use to purchase more BWC & future funds to replace old cameras. 3/27/20 Red Bluff PD BWC is fully funded; plan to use funds for fitness equipment. 5/26/20 \$6,814.17 (Fitness Slam Balls, ball rack, cable machine, dumbbell rack, kettlebell racks, kettlebells and bumper rack) 10/29/21 \$2,692.86 (3 Body Cameras, 12 Clip Lock Metal Clips)
19 Rio Vista	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$4,241	\$7,879	11/16/17 \$4,241.15 (9 VieVu LE5 body cameras)
20 Rocklin	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$18,180	\$6,060	10/5/16 \$6,516.24 (4 VieVu LE4 body cameras, 1 LE4 multi-dock, 1 LE3 multi-dock) 1/3/19 \$5,603.76 (58 Lenslock bwc cameras and 25 in car dash cameras) 11/9/20 \$6,060 (Lenslock software)
21 Willows	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$9,090	\$10,605	\$1,515	6/18/18 \$2,130 for 18/19 Lexipol-Fire Policy Service annual fee 7/2/19 \$2,130 for 19/20 Lexipol-Fire Policy Service annual fee 7/1/20 \$2,157 for 20/21 Lexipol-Fire Policy Service annual fee 6/15/21 \$2,178 21/22 Lexipol-Fire Policy Service annual fee 6/15/21 \$2,010 Lexipol Fire Policy Service
22 Yuba City	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$18,180	\$9,759	\$14,481	5/5/17 \$6,060 (Data911 body-worn cameras) 7/12/21 \$3,699.05 (Treadmill)
<b>TOTAL</b>	<b>58</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$49,995</b>	<b>\$405,000</b>	<b>\$299,970</b>	<b>\$250,929</b>	<b>\$554,031</b>	

\*Opted for Cash Allocation to purchase other than VieVu Camera  
Fund Allocation is based on cost of camera at \$757.50 each



## POLICE RISK MANAGEMENT GRANT REQUEST FORM

Member Entity Name: \_\_\_\_\_

Submitted by: \_\_\_\_\_ Submission Date: \_\_\_\_\_

Available Funds: \_\_\_\_\_ Requested Funds: \_\_\_\_\_

Please use the following lines to describe the proposed use for your funds, and be sure to attach any applicable backup data such as purchase order, receipts, etc.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(If additional room is needed, please attach separate sheet.)

Check Payable to: \_\_\_\_\_

Mail Check to: \_\_\_\_\_

\_\_\_\_\_

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

Please e-mail the completed form to: Jenna Wirkner at [Jenna.Wirkner@alliant.com](mailto:Jenna.Wirkner@alliant.com)

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### STAFF USE ONLY

Program Administrator Approval: \_\_\_\_\_

Total Amount Subject to Reimbursement: \$ \_\_\_\_\_



BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.2.**

**GENERAL LIABILITY POLICE CLAIMS ANALYSIS**

**INFORMATION ITEM**

**ISSUE:** Summer Simpson will present an overview of NCCSIF claim trends and analysis of the top police loss exposures related to the General Liability Program.

**RECOMMENDATION:** Information only.

**FISCAL IMPACT:** None.

**BACKGROUND:** Sedgwick maintains a database of member claims experience that includes loss causes and other demographic information that can be used for risk management purposes.

**ATTACHMENT(S):** Trending Report: General Liability for NCCSIF Police 2016 to 2022

# General Liability Trending Report for NCCSIF

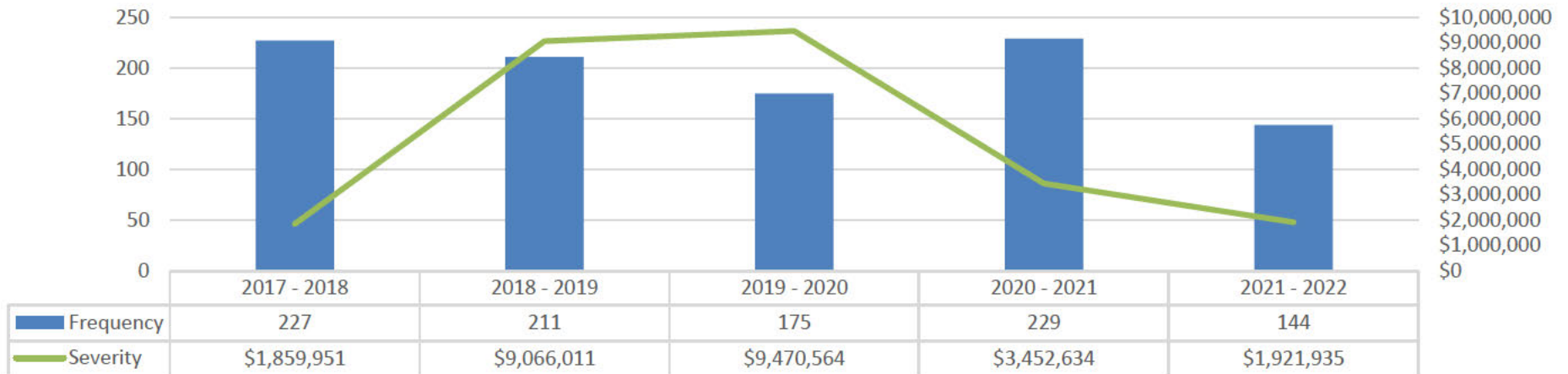


sedgwick®  
*caring counts*

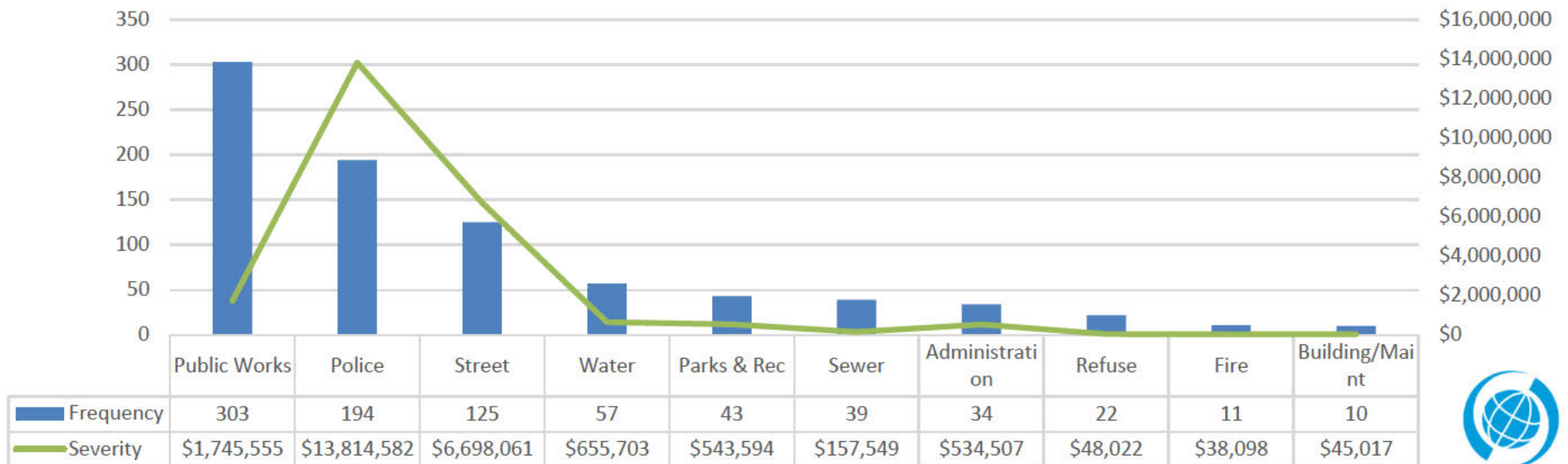
August 2022

# NCCSIF GL Trending Report Fiscal Years 2017-2022

## Frequency and Severity by Fiscal Year



## Claims by Department Fiscal Year 2017-2022



Top 10 Departments Fiscal Year 2017-2022

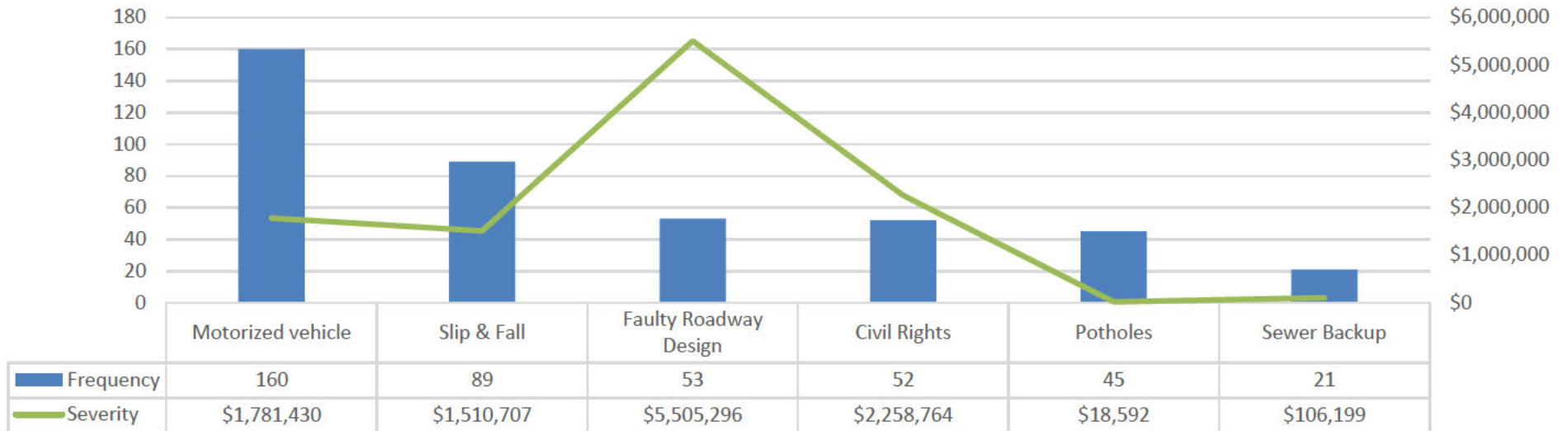
Department	Frequency	Severity	Average
Public Works	303	\$1,745,555	\$5,761
Police	194	\$13,814,582	\$71,209
Street	125	\$6,698,061	\$53,584
Water	57	\$655,703	\$11,504
Parks & Rec	43	\$543,594	\$12,642
Sewer	39	\$157,549	\$4,040
Administration	34	\$534,507	\$15,721
Refuse	22	\$48,022	\$2,183
Fire	11	\$38,098	\$3,463
Building/Maint	10	\$45,017	\$4,502



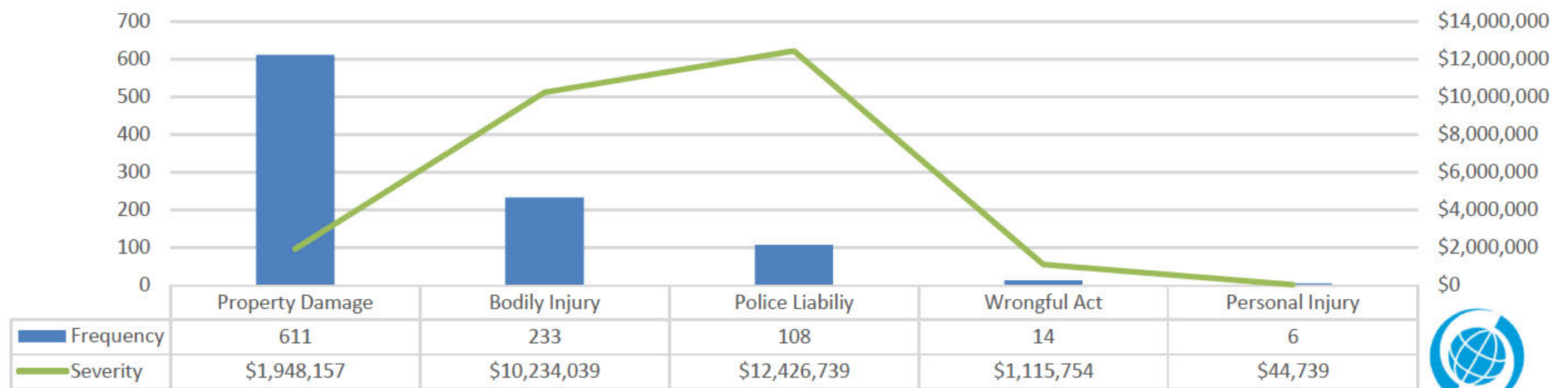


# NCCSIF GL Trending Report Fiscal Years 2017-2022

## Top Causes of Claim Fiscal Year 2017-2022

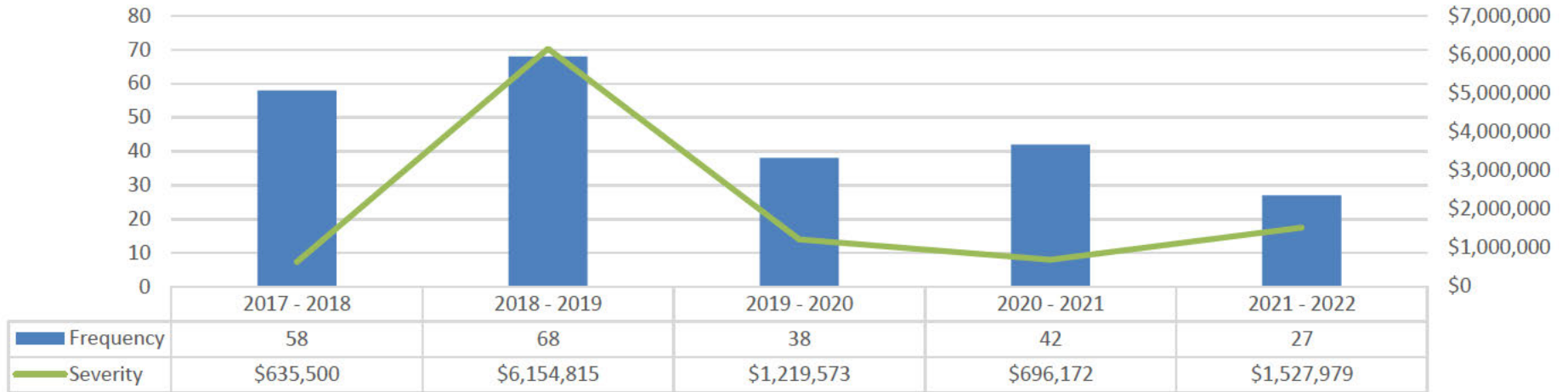


## Frequency and Severity by Claim Type Fiscal Year 2017-2022

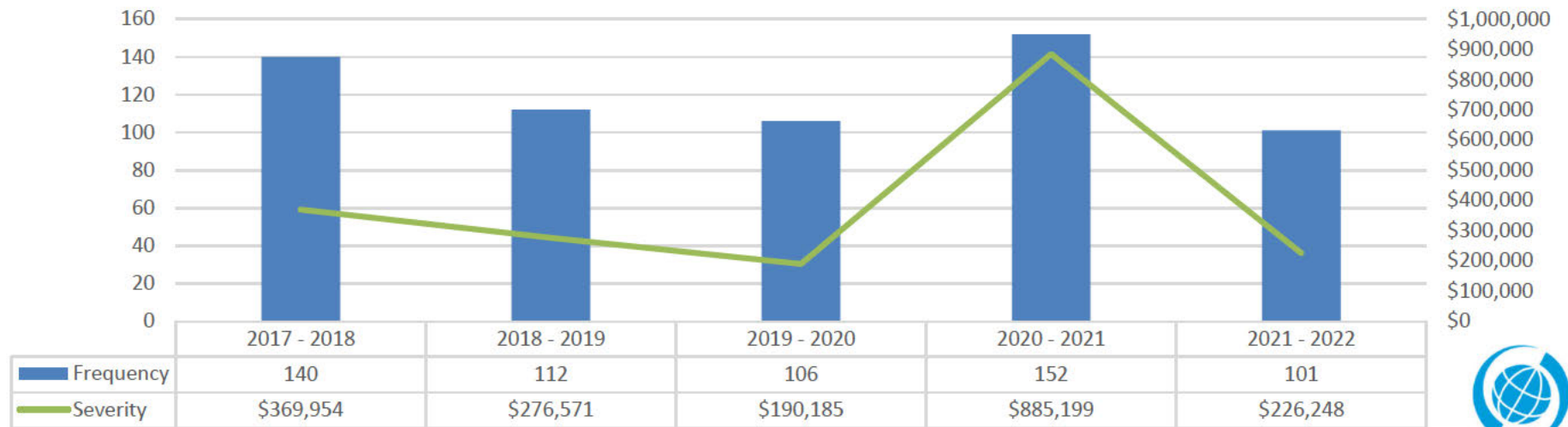


# NCCSIF GL Trending Report Fiscal Years 2017-2022

## Bodily Injury Claims by Fiscal Year

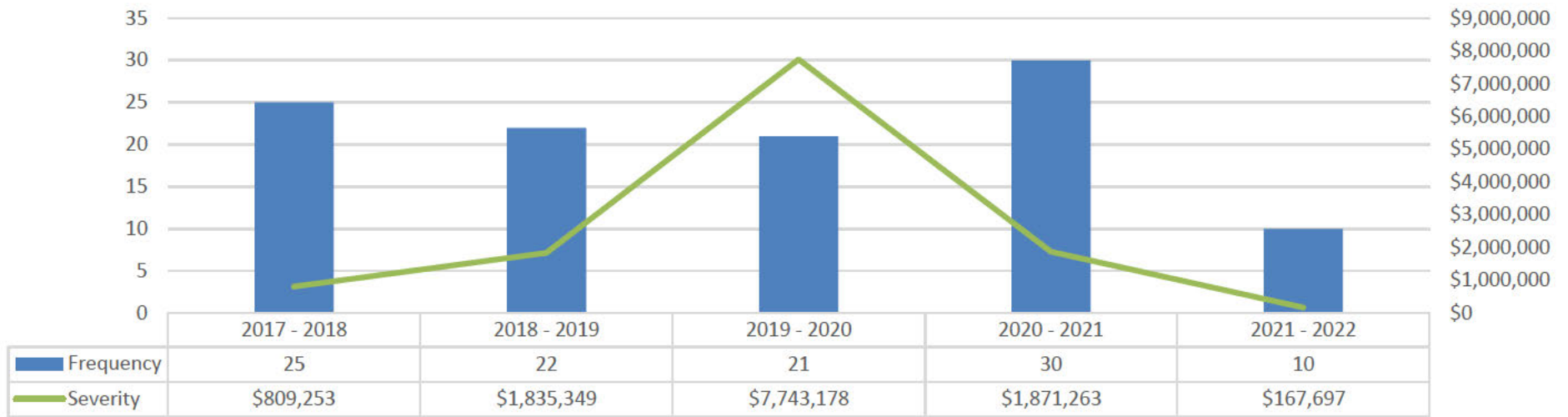


## Property Damage Claims by Fiscal Year

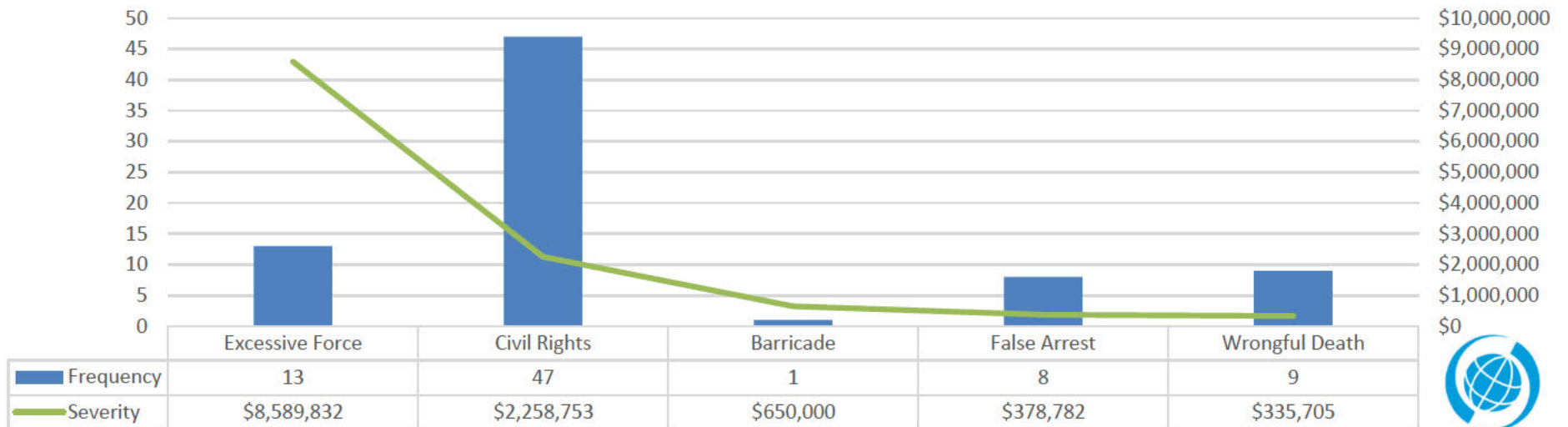


# NCCSIF GL Trending Report Fiscal Years 2017-2022

## Police Liability Claims by Fiscal Year



## Top 5 Cause of Police Liability Claims Fiscal Year 2017-2022



sedgwick®

# NCCSIF GL Trending Report Fiscal Years 2017-2022

## Top 10 Police Liability Claims Fiscal Year 2017-2022

Claim Number	Description	Incurred
40201028983-0001	Extensive injuries due to force used during arrest	\$7,500,000
NCGA08811A1	Fatality from shooting	\$890,243
4A2203GVY06-001	During pursuit, an involved vehicle was hit injuring a minor passenger	\$800,000
402104A9F7G-0001	Fatality from beanbag shooting	\$650,000
NCGA08592A1	Excessive force during arrest	\$290,000
4A2112043YD-0001	Fatality from K-9 bite complications	\$275,000
NCGA08481A1	Excessive force during investigation	\$257,838
NCGA08821A1	Unreasonable force during arrest	\$250,000
40201244A82-0001	False arrest and excessive force.	\$225,000
NCGA08836A1	Excessive force during a traffic stop	\$200,000



## NCCSIF GL Trending Report Fiscal Years 2017-2022

### Frequency and Severity of Police Claims by Member Fiscal Year 2017-2022

Member	Frequency	Severity	Average	Open as of 6.30.2021
City of Anderson	12	\$469,038	\$39,087	6
City of Auburn	5	\$86,370	\$17,274	3
City of Colusa	4	\$103,503	\$25,876	0
City of Corning	3	\$14,017	\$4,672	0
City of Dixon	6	\$165,909	\$27,651	4
City of Folsom	31	\$122,253	\$3,944	8
City of Galt	5	\$13,331	\$2,666	0
City of Gridley	7	\$538,511	\$76,930	5
City of Lone	1	\$595	\$595	0
City of Jackson	1	\$50,001	\$50,001	1



## NCCSIF GL Trending Report Fiscal Years 2017-2022

### Frequency and Severity of Police Claims by Member Fiscal Year 2017-2022

Member	Frequency	Severity	Average	Open as of 6.30.2021
City of Lincoln	16	\$329,111	\$20,569	8
City of Marysville	15	\$56,609	\$3,774	0
City of Oroville	10	\$1,050,375	\$105,038	4
City of Red Bluff	15	\$975,344	\$65,023	1
City of Rio Vista	9	\$833,133	\$92,570	2
City of Rocklin	22	\$624,755	\$28,398	11
City of Yuba City	25	\$8,379,814	\$335,193	8
Town of Paradise	7	\$1,913	\$273	3



## NCCSIF GL Trending Report Fiscal Years 2017-2022

### Top 10 Liability Claims Fiscal Year 2017-2022

Claim Number	Department	Description	Incurred
40201028983-0001	Police	Extensive injuries due to force used during arrest	
NCGA08753A1	Street	Trauma and injuries as result of vehicle accident	\$4,525,000
NCGA08811A1	Police	Fatality from shooting	\$890,243
4A2203GVY06-001	Police	During pursuit, an involved vehicle was hit injuring a minor passenger	\$800,000
402104A9F7G-0001	Police	Fatality from beanbag shooting	\$650,000
4A1603K374W-0001	Street	Motor vehicle accident from unsafe intersection	\$550,000
40210157069-0001	Water	Class action suite for pinhole leaks causing water and mold damage	\$525,000
NCGA08905A1	Street	Pedestrian struck and killed by vehicle	\$525,000
NCGA08794A1	Parks & Rec	Child injured from defective swing	\$300,000
NCGA08592A1	Police	Excessive force during arrest	\$290,000



## NCCSIF GL Trending Report Fiscal Years 2017-2022

### Frequency and Severity of General Liability Claims by Member Fiscal Year 2017-2022

Member	Frequency	Severity	Average
City of Anderson	17	\$478,278	\$28,134
City of Auburn	40	\$423,563	\$10,589
City of Colusa	27	\$203,853	\$7,550
City of Corning	23	\$605,208	\$26,313
City of Dixon	28	\$415,465	\$14,838
City of Folsom	320	\$1,759,622	\$5,499
City of Galt	41	\$275,527	\$6,720
City of Gridley	13	\$554,571	\$42,659
City of Ione	6	\$238,380	\$39,730
City of Jackson	6	\$69,205	\$11,534





## NCCSIF GL Trending Report Fiscal Years 2017-2022

### Frequency and Severity of General Liability Claims by Member Fiscal Year 2017-2022

Member	Frequency	Severity	Average
City of Lincoln	91	\$842,640	\$9,260
City of Marysville	81	\$704,777	\$8,701
City of Oroville	19	\$1,306,041	\$68,739
City of Red Bluff	59	\$1,164,364	\$19,735
City of Rio Vista	27	\$1,570,367	\$58,162
City of Rocklin	76	\$5,378,566	\$70,771
City of Willows	10	\$202,028	\$20,203
City of Yuba City	71	\$9,486,545	\$133,613
Town of Paradise	31	\$92,095	\$2,971





**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.3.**

**LEGISLATIVE UPDATE**

**INFORMATION ITEM**

**ISSUE:** There were many bills introduced in the California Legislature 2022-2023 Legislative Session that if signed into law will affect police agencies.

AB 655 – California Law Enforcement Accountability Reform Act

AB 988- Mental health: 988 crisis hotline

AB 1653- Property crimes: regional property crimes task force

AB 1836-Peace officers: mental health

AB 1947- Hate crimes: law enforcement policies

AB 2229-Peace officers: minimum standards: bias evaluation

AB 2429- Commission on Peace Officers Standard

AB 2537- Vehicles: driver education

AB 2547- Peace officers: determination of bias

AB 2644- Custodial interrogation

AB 2733 – Stops: notification by police officers

SB 960 – Public employment: peace officers: citizenship

SB 1000 – Law enforcement agencies: radio communications

SB 1359- Vehicles: registration

SB 1418- Public safety collaborative

**RECOMMENDATION:** Information only.

**FISCAL IMPACT:** None

**BACKGROUND:** The Program Administrators continue to monitor the impact of these new bills as they make their way through the legislative process.

**ATTACHMENT(S):** Status of Legislation – CA POST Update

# Status of Current Legislation

## Legislative Update

The following is a list of bills POST is monitoring from the 2021-22 Legislative Session. These bills could have an impact on POST operations or be of significant interest to law enforcement partners. It is not a complete list. This list updates monthly. (Updated 7/13/2022)

Bill # and Author	Title and Summary	Status of Bill
<a href="#">AB 655</a> (Kalra)	<p><b>California Law Enforcement Accountability Reform Act</b></p> <p>Current law requires that a candidate for a peace officer position be of good moral character, as determined by a thorough background investigation. This bill would require that background investigation to include an inquiry into whether a candidate for specified peace officer positions has engaged in membership in a hate group, participation in any hate group activity, or advocacy of public expressions of hate, as specified, and as those terms are defined. The bill would provide that certain findings would disqualify a person from employment.</p>	6/22/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 21). <b>Re-referred to Com. on APPR.</b>
<b>AB 988</b> (Bauer-Kahan)	<p><b>Mental health: 988 crisis hotline</b></p> <p>Current federal law, the National Suicide Hotline Designation Act, designates the 3-digit telephone number “988” as the universal number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline maintained by the Assistant Secretary for Mental Health and Substance Abuse and the Veterans Crisis Line maintained by the Secretary of Veterans Affairs. This bill would enact the Miles Hall Lifeline and Suicide Prevention Act. The bill would require the Office of Emergency Services to ensure, no later than</p>	6/30/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (June 29). Re-referred to Com. on APPR.

July 16, 2022, that designated 988 centers utilize technology that allows for transfers between 988 centers as well as between 988 centers and 911 public safety answering points. The bill would require, no later than 90 days after passage of the act, the office to appoint a 988 crisis hotline system director, among other things. The bill would require, no later than July 1, 2024, the office to ensure interoperability between and across crisis and emergency response systems used throughout the state, as described. The bill would require the office to consult with specified entities on any technology requirements for 988 centers.

**Property crimes: regional property crimes task force.**

[AB 1653](#)

(Patterson)

Current law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment. This bill would specify theft of vehicle parts and accessories as a property crime for consideration by the regional property crimes task force.

7/11/2022-Enrolled and presented to the Governor at 11:30 a.m.

**Peace officers: mental health**

[AB 1836](#)

(Maienschein)

Would, upon appropriation of funds, establish the Officer Wellness and Mental Health Grant Program within the Board of State and Community Corrections for the purpose of improving officer wellness and expanding mental health resources and suicide prevention. The bill would require the board to award grants to eligible local law enforcement agencies and local peace officer associations. The bill would require program funds to be used for one or more specified purposes, including the establishment of officer wellness and peer support units and the hiring and retention of licensed mental health professionals.

6/22/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 4. Noes 0.) (June 21). Re-referred to Com. on APPR.

[AB 1947](#)

(Ting)

**Hate crimes: law enforcement policies**

Current law requires state law enforcement agencies to adopt a framework or other formal policy created by POST regarding hate

6/22/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 21). Re-referred to Com. on APPR.

crimes. Current law requires any local law enforcement agency that adopts or updates a hate crime policy to include specified information in that policy, including information on bias motivation. Current law requires the Department of Justice to collect specified information relative to hate crimes and to post that information on its internet website. This bill would require each local law enforcement agency to adopt a hate crimes policy. The bill would require those policies to, among other things, include instructions on considering the relevance of specific dates and phrases when recognizing whether an incident is a hate crime, to include a supplemental suspected hate crime form. The bill would require every state and local agency to use specified definitions for the term “protected characteristics.” The bill would require each law enforcement agency to report their hate crime policy to the Department of Justice, as specified, and to update their policy before specified deadlines and otherwise as directed by the department. The bill would require the department to post information regarding the compliance and noncompliance of agencies that are required to provide information relative to hate crimes to the department, by specified dates, and as required by future updates. The bill would require POST to develop a model hate crime policy, as specified.

**Peace officers: minimum standards: bias evaluation.**

[AB 2229](#)

(Rivas)

Current law requires peace officers in this state to meet specified minimum standards, including, among other requirements, that peace officers be evaluated by a physician and surgeon or psychologist and found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of the powers of a peace officer. This bill would require that evaluation to include bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation.

6/2/2022-Read second time. Ordered to third reading.

[AB 2429](#)

(Quirk)

**Commission on Peace Officers Standards and Training: assessment of training requirements**

6/22/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar.

The Commission on Peace Officer Standards and Training is responsible for developing and implementing programs to increase the effectiveness of law enforcement. The commission is required to adopt rules establishing minimum standards relating to physical, mental, and moral fitness governing the recruitment of specified peace officers. This bill would require the commission to perform specified duties, including, among other things, partnering with academic researchers to conduct an assessment of existing officer training requirements and determining how well the existing officer training requirements are working for officers in the field. The bill would require the commission to report its findings to the Legislature by January 1, 2025.

**Vehicles: driver education.**

**AB 2537**

(Gipson)

Would require the Department of Justice, in conjunction with the Department of Motor Vehicles and the Commission on Peace Officer Standards and Training, to develop and create a video demonstrating the proper conduct by a peace officer and an individual during a traffic stop and to post the video on its internet website.

6/29/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 5. Noes 0.) (June 28). Re-referred to Com. on APPR.

**Peace officers: determination of bias**

**AB 2547**

(Nazarian)

Current law requires each law enforcement agency to be responsible for completing investigations of allegations of serious misconduct of a peace officer. This bill would require the Commission on Peace Officer Standards and Training (POST) to establish a definition of “biased conduct,” as specified, and would require law enforcement agencies to use that definition in any investigation into a bias-related complaint or an incident that involves possible indications of officer bias. The bill would also require POST to develop guidance for local law enforcement departments on performing effective Internet and social media screenings of officer applicants.

6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (June 28). Re-referred to Com. on APPR.

**AB 2644**

(Holden)

**Custodial interrogation**

6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes

Existing law authorizes a peace officer to take a minor into temporary custody when that officer has reasonable cause to believe that the minor has committed a crime or violated an order of the juvenile court. In these circumstances, existing law requires the peace officer to advise the minor that anything the minor says can be used against the minor, that the minor has the right to remain silent, that the minor has the right to have counsel present during any interrogation, and that the minor has the right to have counsel appointed if the minor is unable to afford counsel. Existing law requires that a youth 17 years of age or younger consult with legal counsel in person, by telephone, or by video conference prior to a custodial interrogation and before waiving any of the above-specified rights. This bill would prohibit law enforcement officers from employing threats, physical harm, deception, or psychologically manipulative interrogation tactics, as specified, during an interrogation of a person 25 years of age or younger. This bill contains other related provisions and other existing laws.

**Stops: notification by peace officers.**

Current law requires each state and local agency that employs peace officers to annually report to the Attorney General data on all stops conducted by the agency's peace officers, and requires that data to include specified information, including the time, date, and location of the stop, and the reason for the stop. This bill would require each state and local agency to include in its annual report the reason given to the person stopped at the time of the stop.

**Public employment: peace officers: citizenship**

Current law establishes the Commission on Peace Officer Standards and Training within the Department of Justice to perform various functions involving the training of peace officers. Current law requires peace officers in this state to meet specified minimum standards, including, among other requirements, being at least 18 years of age, being of good moral character, as determined by a thorough background investigation,

1.) (June 28). Re-referred to Com. on APPR.

6/29/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 3.) (June 28). Re-referred to Com. on APPR.

6/23/2022-Read second time. Ordered to third reading.

[AB 2773](#)

(Holden)

**SB 960**

(Skinner)

and being either a citizen of the United States or a permanent resident who is eligible for and has applied for citizenship, except as prescribed. This bill would provide that those standards shall be interpreted and applied consistent with federal law and regulations, as specified. The bill would remove the provision that requires peace officers to either be a citizen of the United States or be a permanent resident who is eligible for and has applied for citizenship, and would instead require peace officers be legally authorized to work in the United States, and make conforming changes.

**Law enforcement agencies: radio communications**

Current law establishes the California Law Enforcement Telecommunications System (CLETS) to make specified criminal justice databases, including individual criminal histories, wanted and missing persons, and stolen firearms, vehicles, and property, available to participating law enforcement agencies. Current law prohibits unauthorized access to CLETS and the unlawful use of CLETS information by authorized users. Existing law authorizes the Attorney General to adopt policies, procedures, and practices related to the use of CLETS. These rules require a participating agency to restrict access to CLETS and define “access” as the ability to see or hear any information obtained from CLETS. This bill would require a law enforcement agency, including the California Highway Patrol, municipal police departments, county sheriff’s departments, specified local law enforcement agencies, and specified university and college police departments, to, by no later than January 1, 2024, ensure public access to the radio communications of that agency, as specified.

**Vehicles: registration**

**SB 1000**  
(Becker)

6/21/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 21). Re-referred to Com. on APPR.

**SB 1359**  
(Hueso)

Current law prohibits a person from driving, moving, or leaving standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, or logging dolly, unless it is registered and the appropriate fees have been paid, except as specified.

6/21/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 21). Re-referred to Com. on APPR.



Current law requires current month and year tabs indicating the month and year expiration of a vehicle's registration to be attached to the rear license plate assigned to the vehicle for the last preceding registration year in which the licensed plates were issued. This bill would require a law enforcement officer to verify, using available Department of Motor Vehicles' records, that no current registration exists for a vehicle before issuing a citation for a violation of the requirement to attach the appropriate tabs. The bill would prohibit the issuance of a citation against a vehicle in violation of that requirement that has a current registration on file with the department.

**Public safety collaborative**

Current law charges the Board of State and Community Corrections with providing the statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system. This bill would create the Public Safety Collaborative Fund in the State Treasury. The bill would require the board, upon appropriation by the Legislature, to administer public safety collaborative grants from the fund to regional public safety collaboratives established for violence prevention, intervention, and suppression activities. The bill would require a collaborative applying for a grant to establish a coordinating and advisory board with membership, including city officials, local law enforcement, and local stakeholders, to prioritize the use of the funds.

The bill would authorize grant funds to be utilized for a range of programs, services, and activities designed to reduce violence, including programs to address youth violence prevention and intervention in K-12 schools and homeless outreach and intervention efforts.

[Information on legislative terms / definitions on the California Assembly Chief Clerk's Website](#).

6/15/2022-Read second time and amended.  
**Re-referred to Com. on APPR.**

**SB 1418**

(Newman)

\*Legend



**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.4.**

**TECHNOLOGY DISCUSSION**

**INFORMATION ITEM**

**ISSUE:** Two technology items are featured on the day's agenda:

SHIELD Suite by [LEFTA Systems](#): a collection of software modules designed to provide protect police agencies from liability by properly documenting training, uses of force, vehicle pursuits, and other events and serving as an early warning system to alert management to issues before they escalate

[Live911](#): the City of Auburn recently implemented this system that allows livestreaming of 911 calls directly to first responders, while the caller speaks to a dispatcher, to improve response times and situational awareness. Auburn was recently featured in the local news describing the system, and Chief Kinnan is prepared to discuss their experience with it.

**RECOMMENDATION:** Information only

**FISCAL IMPACT:** None expected from this item.

**BACKGROUND:** Law Enforcement Agencies need to properly document academy training, field training, training records, uses of force, internal affairs investigations, profiling/field investigation monitoring, vehicle pursuits, fleet vehicle damage, employee conduct tracking, and immigration enforcement.

**ATTACHMENT(S):**

1. SHIELD Suite Brochure
2. Live 911 Summary and News Article

# LEFTA SYSTEMS

PUBLIC SAFETY SOFTWARE APPLICATIONS



**SHIELD Suite™ by LEFTA Systems**  
An Industry Leader in Law Enforcement Software



Built by COPS for COPS. SHIELD YOUR AGENCY

# WHAT IS THE SHIELD SUITE™?

The Suite is a collection of modularized software applications specifically designed to protect law enforcement agencies from liability by properly documenting training and high-liability events. All applications are on a single platform and can be used independently or combined with additional modules to create a fully integrated system. As you add modules, our applications communicate with each of them to provide a SHIELD for your agency via a comprehensive Early Warning System that alerts agency management to potential liability issues before they escalate.

Having your employees' training files from the time they start academy training, through field training, and until they retire many years later is a sure-fire way to protect your agency from foreseeable negative incidents, including community backlash.

## SYSTEM FEATURES



### Web-Based & Paperless

Access anywhere you have an internet connection; eliminate the need to keep track of thousands of sheets of paper.



### Single Sign-on Between Applications

One-user profile and login for all applications ensure easy access.



### Early Warning System

Find trends based on the rules you set to address potential liability issues.



### Customizable to Your Terminology

Our applications use terminology your employees are already familiar with, making the transition seamless.



### Statistical Insights

Improve your policies and training while protecting your agency from liability with business intelligence tools and Early Warning Settings.



### \$4 Million Insurance Policy

In addition to hosting your data on the most secure servers on the market, an insurance policy is in place to ensure your peace of mind.



### Highest Level of Data Security

Our apps are hosted on CJIS and FedRAMP compliant Microsoft Azure Government servers residing in multiple datacenters within the continental United States to ensure business continuity.



### Integrates with 3rd Party Applications

Integrate with your existing CAD, HR System, Scheduling software, RMS, or have us build a custom integration.



## **ATRAX™ ACADEMY DOCUMENTATION**

### Track Your Academy Records Digitally

- ✓ Document firearms training, driving performance, physical fitness, defense tactics, first aid/CPR training, peer evaluations, test scores, and more
- ✓ Identify performance trends for specific trainees or entire class
- ✓ Document compliance with agency/state/federal curriculum requirements



## **LEFTA™ FIELD TRAINING**

### Automated FTO Training Documentation Software

- ✓ Review on-the-job performance during field training and probationary periods
- ✓ Monitor the overall health of your FTO program
- ✓ Identify training required to improve trainee performance
- ✓ SHIELD your agency: monitor potential biases based on race, gender, and/or age



## **METR™ TRAINING RECORDS**

### Track Employees' Training to Ensure Training Requirements are Met

- ✓ Create classes, certificates, and training plans; track sign-in sheets and course syllabus
- ✓ Create employee evaluations; document firearms qualifications
- ✓ Track how your agency spends its training budget
- ✓ Assign and monitor the viewing of training videos, policy reviews, and circulate training materials
- ✓ Sends automated reminders as training and certifications are due to expire



## **FACTS™ USE OF FORCE DOCUMENTATION**

### Track and Document Use of Force Incidents at Time of Occurrence

- ✓ Monitor scores of data points to identify liability issues and adjust training policy accordingly
- ✓ Build trust via transparency with the community you serve
- ✓ Monitor use of force incident trends involving your employees
- ✓ Attach body camera, other videos and documents related to an incident
- ✓ Integrate with your existing applications including CAD, PowerDMS, etc.



## INTERNAL AFFAIRS™

Conduct Thorough, Efficient Internal Affairs Investigations

- ✓ Give your supervisors and internal affairs personnel proper tools to investigate and document complaints and compliments
- ✓ Case management feature lets supervisors assign investigators, set timelines with email reminders, and audit capabilities
- ✓ Library of customizable report templates included to ensure uniform investigation documentation



## PASS™ PROFILING/FIELD INVESTIGATION MONITORING

Automate Your Field Investigation Reports/Cards

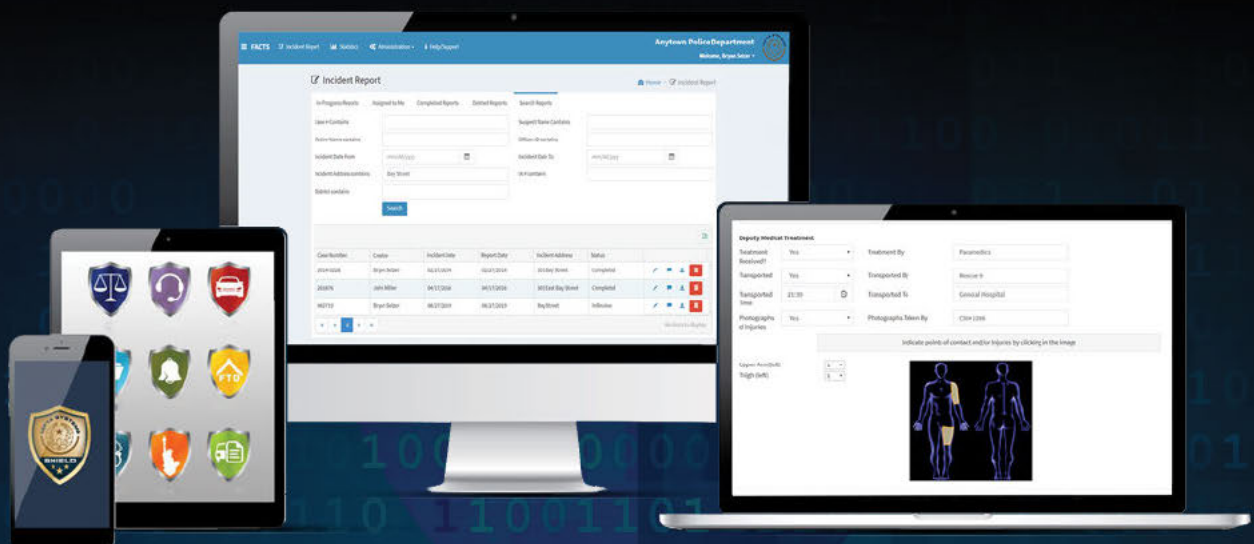
- ✓ Document citizen encounters to protect your agency and community from claims of profiling bias
- ✓ Patented Community Composition Analysis Tool documents the demographics of the areas your officers patrol, to help you interpret collected data correctly
- ✓ Share enforcement data with the community to document transparency
- ✓ Satisfies documentation required by your agency, state, or DOJ mandate



## VIPR™ VEHICLE PURSUIT DOCUMENTATION

Monitor Your Vehicle Pursuits to Fine-Tune Your Policies/Training

- ✓ Identify pursuit trends within your agency
- ✓ Perform Statistical Analysis to help determine if pursuits were within your agency policy
- ✓ Track suspect charges and violations
- ✓ Track scores of data points, including reason for pursuit, how it was terminated, outcomes, and weather/traffic patterns





## V-DOC™ FLEET VEHICLE DAMAGE DOCUMENTATION

Provides a User-Friendly Platform to Document Damage to Agency Vehicles.

- ✓ Track employee vehicular accidents and incidents to establish agency costs
- ✓ Monitor Data Points via built-in statistical reporting
- ✓ Identify targeted training methods to improve safety
- ✓ Identify liabilities including improper training, right-of-way violations, backing up, and distracted driving (i.e. on MDC, phone, radio, etc.) to improve your training and policies where needed



## EMCOT™ EMPLOYEE CONDUCT TRACKING

Allow Citizens to File Online Reports of Perceived Employee Conduct

- ✓ Accurately track compliments, complaints, and commendations
- ✓ Route citizens' conduct reports to a supervisor or Professional Standards unit, based on your policy
- ✓ Supervisors can review citizen-submitted reports prior to employee evaluations



## IFIR™ IMMIGRATION ENFORCEMENT

Enforce Immigration Laws to Ensure Enforcement Is Conducted According to Law

- ✓ Quickly answer questions about racially motivated immigration enforcement
- ✓ Determine when there is adequate reasonable suspicion to stop and check immigration status
- ✓ Easily track the outcome of contacts
- ✓ Provide enforcement statistics

# LEFTA Systems' Training and High Liability Software Platform: SHIELD Suite

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Since 2006, LEFTA Systems has been working to build better software for law enforcement agencies and their employees. Continually testing and improving our products, LEFTA Systems applications are being used at local, state and federal levels. With hundreds of clients covering more than 50,000 law enforcement officers nationwide, LEFTA Systems has become one of the industry leaders in law enforcement software.

Our company leadership is comprised of retired law enforcement and industry leaders who remain actively involved in the law enforcement community. This experience sets LEFTA Systems apart because our applications are developed **by Cops for Cops**. Every application and user interface is designed to be easy to understand and use. If your officers can fill out a report on paper, they can easily use any LEFTA Systems application.



Our client retention rate is **99%** in over a decade of being in business!

**Contact Us Today  
To Schedule A Demo**

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**In emergency response every second matters. Live911 bridges the gap between a 911 caller and officers in the field with distance-aware real time monitoring.**



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Hear 911 calls at the same time as call taker



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See precise caller location displayed on map



---

Receive immediate situation updates and location changes



---

Provide quicker response times



---

Receive more information to de-escalate situations



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Easily integrate with existing call-response protocol

# Auburn Police Aim To Respond To 911 Calls Quicker With New Technology

By [Shawnte Passmore](#) July 12, 2022 at 6:49 pm Filed Under: [Auburn News](#), [Auburn Police Department](#), [Placer County News](#)

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AUBURN (CBS13) – The clock always ticks as dispatchers and police officers race to help someone in distress. When there is an emergency or crisis, first responders understand that every second matters.


But what if they could arrive quicker to the scene and be ready to respond?

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Auburn Police Chief Ryan Kinnan believed his department could do better.

“We were kind of just stuck,” said Kinnan. “Whatever it took to get that dispatcher to get out that information out is the length of time it took the information to actually respond.”

Lately, the response time for calls is around seven-and-a-half minutes.

But after hearing how other agencies reduced their times with Live911, the top cop wanted in.

Essentially, the system allows officers to hear emergency calls in real-time while the caller speaks to a dispatcher.

No longer will officers wait for dispatchers to relay the caller's information.

Not only is it immediate, but it gives context to a situation such as when a person is hiding from danger.

**READ MORE:** [Calaveras County Resident Suspected Of Starting Numerous Wildfires In West Point Area](#)

“Now, we’ll be able to hear that and understand the whispering and someone's hiding in the closet. Just the need of getting there faster,” Kinnan said.

How does it work?

An agency creates a geofence, think of a virtual perimeter. It can be a block or in Auburn’s case, the entire city. Officers will be able to hear calls through their laptops and dispatchers will know when they are listening.

Earlier this year, Kinnan had seen the program after the creator of Live911, [HigherGround](#), contacted the department. Immediately, the chief agreed to the idea.

City council unanimously approved the groundbreaking technology last month. It is expected to cost the city \$6,000 per year to operate.



At Critical Capacity, Sacramento Animal Shelter Waiving Adoption Fees



Head-On Crash Near Auburn Leaves 1 Dead, 4 Hospitalized



Sacramento Man Found Guilty Of Sex Trafficking Operation



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Sacramento Police Investigate Shooting At 13th Street And Broadway



'He Was All About His Kids': Friend Remembers Jesse Sullivan Who Was Killed In Modesto Murder-Suicide Following Neighbor Dispute

At least 10 agencies in California are using this concept, according to the company.

Auburn is expected to launch the technology shortly.

**MORE NEWS:** [Preventative Fires Credited With Saving Yosemite Sequoias From Washburn Fire](#)

Kinnan hopes it will reaffirm the department's commitment to protect and serve by improving its service.



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BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.5.**

**LEXIPOL GRANT FINDER**

**INFORMATION ITEM**

**ISSUE:** Members have expressed interest in assistance with identifying, applying for, and in some cases managing grants for them. Lexipol is offering a service they call [Grant Finder](#) and will be hosting a webinar for the general membership soon.

Their services range from a license to use their customized search engine to writing grant applications, consulting, and managing the grants themselves. Attached is a brief overview of their services.

Given the interest to date there's a good chance we will work with Lexipol to provide a group discount to members where available and we are seeking feedback from the committee regarding their interest.

**RECOMMENDATION:** Information only

**FISCAL IMPACT:** None

**BACKGROUND:** Sorting through the wide variety of grants available to public agencies, applying for and managing them takes resources that many NCC members don't have. Providing a service to assist members as needed to identify and obtain grants is consistent with NCC's mission, particularly in areas where grants will address risk exposures.

**ATTACHMENT(S):** Lexipol Grant Finder Overview.



# Grant Solutions Presentation for California Municipalities

May 24, 2022



# Who We Are

Lexipol's pre-award grant services provide customized solutions enabling applicants to tap into federal, state and private grants. We have been assisting local government and education since 2009 with grant research, writing and consultation.

You are in good hands with our team of experts who will assist with crafting the best individually tailored grant applications possible; securing you the funds you need for essential programs, personnel, technology, and much more.



# Our Experts

With collectively over 500 years experience as a grant team, we are your partner in expert guidance and pre-award services. We promise a smooth and engaging start to finish experience. Our goal is to create a lasting relationship while serving your community to achieve your ultimate goals.

Our grant experts are all active or former members of the local government community. Their success rate for grant approval is 60% higher than the national average of just 17%.

To date, our team has secured more than \$350M in grant awards for numerous deserving public safety agencies across the nation.



# Let Us Help You Get Funded

## GrantFinder: Grant Research Made Easy

GrantFinder provides a real-time, online database of more than 10,000 federal, state, corporate and foundation grants. More than 5,000 municipalities trust GrantFinder to locate grants relevant to them.

Powerful features include:

- Tracking over 10k grants representing \$600 billion in funding
- Customized grant alerts for your preferred grant categories
- Dynamic environment with new grants updated and added daily
- <https://grantfinder.com/>

*Pricing starts at \$1,195 per year for a single license*

# Let Us Help You Get Funded

## Custom Grant Writing Service: Submit Successfully With Our Experts

Lexipol provides customized grant writing services enabling applicants to tap into federal, state and private grants. With our team of expert grants writers and project managers, we'll craft the best grant application possible, helping you obtain the essential funding you need.

- Custom Grant Research & Consult (\$1,250 flat rate)
- Complete Grant Application Services (\$5,000 flat rate)
- Advanced Grant Application Services (\$6,000 flat rate)
  - Narrative Development & Review \*
  - Application Assembly \*

*\*Can be purchased as a standalone grant writing product*

# Let Us Help You Get Funded

## Grant Assistance Platform: Your Strategic Retained Partner

If your department is pursuing multiple grant projects—large or small—consider our Grant Assistance Platform. This retainer service combines all our pre-award grant services, including grant research, alerts, consulting and review:

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- 50% discount on grant writing services on a per-project, per-application basis
- 2 year commitment

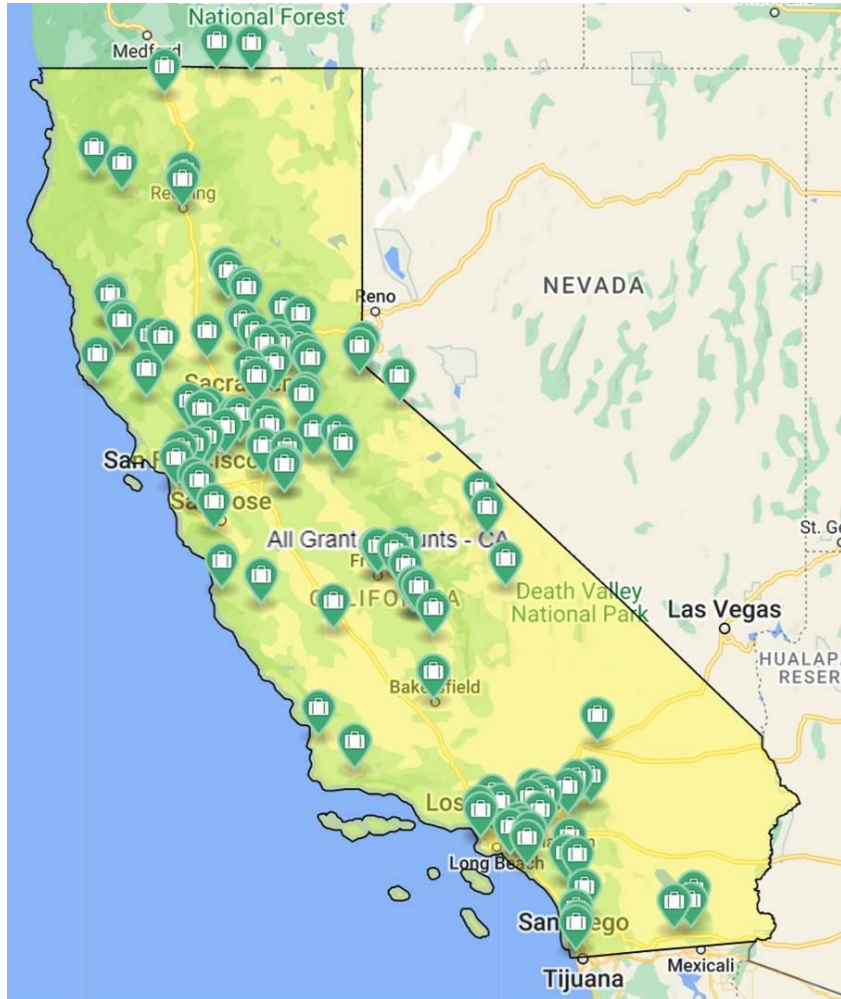
*Pricing starts at 3k per year*

# Let Us Help You Get Funded: Risk Pools/Member Organizations

## Grant Assistance for membership organizations and risk pools.

- GrantFinder – sponsored licenses (pricing based on volume)
- Grant Writing – sponsored grant writing services (flat fee per service)
- Grant Assistance Platform – sponsored bundle package includes GrantFinder, Grant Consulting, Grant Writing services (pricing based on volume)

# Our Grant Clients



Total funding: \$46M  
Total Grant Accounts: 111  
Total Lexipol Accounts: 5815

# Thank You

Sarah (Wilson) Handler  
VP Grants  
swilson@lexipol.com  
415 962 2042





**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.6.**

**FIRING RANGE REQUIREMENTS  
AND SAMPLE MOU**

**INFORMATION ITEM**

**ISSUE:** The terms of the excess coverage provided to NCC by the California Joint Powers Insurance Authority (CJPRMA) exclude coverage for private use of a firing range unless all of the following conditions are met:

- (a) A qualified range master is present at all times while the firing range is being utilized;
- (b) The firing range is only provided for the additional use of law enforcement divisions of other public agencies, and police academies, herein defined as POST Certified Basic Academies;
- (c) Any agency using the firing range has provided an indemnification agreement which assumes full responsibility by the user for all liability arising out of their activities; and
- (d) The user agency has provided liability coverage in an amount of not less than \$1,000,000 and has also provided a certificate of coverage which names the CJPRMA member as an additional covered party.

The City of Dixon recently drafted the attached MOU that meets the requirements for liability coverage cited above. This is provided as a sample for others with the reminder that while the MOU meets the requirements for coverage the agency using the range must actually meet all of the requirements for the coverage to respond in the event of a claim.

**RECOMMENDATION:** Information only

**FISCAL IMPACT:** None from this item.

**BACKGROUND:** Members are provided a reminder of the limitations of coverage under the Liability Program and are encouraged to use the sample MOU provided and/or consult with the Program Manager to confirm compliance with the requirements. If any members are allowing use of their firing ranges that do not comply with the conditions, please contact the Program Manager to discuss.

**ATTACHMENT(S):** Dixon MOU for Use of Firing Range

# MEMORANDUM OF UNDERSTANDING

## BETWEEN

### THE DIXON POLICE DEPARTMENT AND CONTRACTING AGENCY

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made and entered into by and between the City of Dixon Police Department (Dixon Police Department) ("City") and CONTRACTING AGENCY ("Contracting Agency"), collectively referred hereinafter as the "Parties." The Department or Party contracting with the City shall hereinafter be identified by CONTRACTING AGENCY or as the "Contracting Agency".

#### **1. PURPOSE:**

This Agreement is intended to provide the terms upon which the Contracting Agency may use the City's Firearms Training Center ("FTC") located at 6915 Pedrick Road, Dixon California. The FTC is described as: a modular classroom and adjoining pistol and rifle target range, with concrete shooting lanes for pistol shooting from 3 to 25 yards, and a rifle range at 50 yards.

The FTC may be used by the Contracting Agency in accordance with the terms as set forth in this MOU for Law Enforcement training purposes only. The Contracting Agency is contracting with the City for use of the FTC for the purpose of the Contracting Agency to provide firearms qualifications, practice or training for the personnel of the Contracting Agency. It is understood and agreed by the Parties that the City shall provide no training or supervision at the Facility during the Contracting Agency's exclusive or individual use periods. The City may provide, upon request by the Contracting Agency's designee, Supervisor or Coordinator, assistance in familiarizing Agency with the operations of facilities, equipment, and other infrastructure necessary to facilitate the Contracting Agency's use under the terms of this Agreement.

It is understood and agreed by the Parties the Contracting Agency is a qualified law enforcement agency, or equivalent entity, such that their supervisor and/ or participants are experienced with and trained in the use of firearms and firearm safety. The City shall have no duty to train or assist the Contracting Agency with firearm safety or rifle FTC safety. It is understood and agreed by the Parties that during the exclusive use of the FTC by the Contracting Agency, there will be no City staff or agents present or provided at the FTC, unless a City staff member is present performing other tasks or duties unrelated to the Contracting Agency's use of the FTC. The City is not providing any City employees, staff or assistance, oversight or supervision to the Contracting Agency during their use of the FTC.

The Contracting Agency's use of the City's FTC is at their own risk.



## **2. RESPONSIBILITIES:**

### **DIXON POLICE DEPARTMENT RESPONSIBILITIES:**

The Dixon Police Department shall make available to the Contracting Agency the FTC at such time and under such conditions as are hereinafter set forth as a courtesy to the Contracting Agency.

### **CONTRACTING AGENCY RESPONSIBILITIES:**

The Contracting Agency shall:

A. Provide all targets, target standards, ammunition and other materials necessary for the use of the FTC. All ammunition used on the Indoor FTC will be restricted to a round utilizing a Total Metal Jacket (TMJ) or Jacketed Hollow Point (JHP) bullet having muzzle energy not greater than 400-foot pounds.

B. Schedule, in advance, with City's representative exclusive use days for the Smallbore and High-Power FTCs, or other portions of the FTC.

C. Assume full responsibility for safety of the entire FTC during any period of exclusive use by the Contracting Agency.

D. Be responsible for the conduct of members of the Contracting Agency while on the FTC during exclusive use periods.

E. Designate, and report to the City's Representative the name of an individual who shall act as a qualified supervisor and coordinator of all Contracting Agency's activities at the FTC. This individual shall be the person with whom the City's Representative will work in connection with day-to-day matters of FTC use, and who will be in direct charge during actual FTC use.

F. Ensure that a supervisor or coordinator and a Contracting Agency FTC Safety Officer (Rangemaster) be present at the FTC at all times during exclusive use by Contracting Agency. The FTC Safety Officer (Rangemaster) may also function as the supervisor or coordinator.

G. Terminate use of the FTC if any dangerous condition or safety risk is present at the facility and provide immediate electronic or verbal notice to the City, followed by a written notice to the City within 24 hours detailing the danger or safety risk. The FTC Safety Officer (Rangemaster) shall be responsible for supervising safe shooting activities, monitor and enforce safety and FTC rules, and FTC operations during times of exclusive use.

G. Make a written report of all accidents, damage or injury that occurs immediately or no later than 24 hours after the observance or occurrence to the City. The written report

shall provide sufficient details of the incident, including the date, time, circumstances and nature of injury or damage, and the name of the injured party or parties, witnesses and Contracting Agency's Supervisor present at the time of the incident. The written report shall be submitted to the Dixon Police Department Representative in Section 5 of this Agreement.

H. Safeguard FTC access code. Contracting Agency shall be assigned a unique access code to access FTC. The access code provides limited access to FTC facilities. Access shall include: entry gate access, access to approved facilities, and public spaces. The Contracting Agency shall maintain control of the access code at all times including providing the code only to necessary Contracting Agency supervisory personnel and maintaining a log of any employees provided use of the key. The Contracting Agency shall not provide access to the FTC to vendors or contractors for any purpose. Any access codes provided to the Contracting Agency may not be shared with unauthorized persons or entities. At the termination of this Agreement, all access codes provided to the Contracting Agency will be inactivated by the City.

I. Maintain a sign-in log for each exclusive use of the FTC. The log shall include, at a minimum, the signature and phone number of the Contracting Agency supervisor or coordinator and the FTC Safety Officer (Rangemaster), the names of all employees participating in Contracting Agency activities. The sign-in logs shall be provided to the City's Representative at least quarterly.

J. The Contracting Agency and its participants must comply with all Federal, State and local laws.

K. All litter, trash, or debris left by the Contracting Agency shall be picked up and disposed of in appropriate receptacles provided at the FTC.

#### **USE OF THE FTC:**

A. All dates and times of use shall be determined by mutual agreement by the Contracting Agency and City representatives.

B. Use by the Contracting Agency shall not interfere with normal, customary use of the FTC by the Dixon Police Department or other Contracting Entities.

C. The only use of the FTC is for practice and training of officers, reserve officers or other permanent employees of the Contracting Agency.

D. The City of Dixon will not provide firearms, ammunition or other training supplies.

E. The rights of use under this Agreement is not extended to any member of the Contracting Agency's family or friends, unless that person is an employee of the Contracting Agency.

F. No minors may be present at the FTC at any time.

### **3. TERM OF AGREEMENT:**

The term of this Agreement shall be indefinite and shall continue until one or more of the parties notifies the other of its intent to terminate the Agreement.

### **4. EFFECTIVE DATE/AUTHORITY:**

This Agreement will be effective upon execution by each of the Parties. The representatives of the City and the Contracting Agency who have executed this Agreement represent that they have been granted the authority to enter into such agreement by their employing agencies, and are heretofore binding to the City and the Contracting Agency.

### **5. ADMINISTRATION:**

The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.

5.1 The City's representative shall be Tom Cordova, Captain, Dixon Police Department, (707) 678-7000 Ext. 3119, tcordova@dixonpolice.org.

5.2 The Contracting Agency's representative shall be NAME, TITLE (707) NUMBER email@server.com

### **6. INDEMNIFICATION:**

To the fullest extent permitted by law, the Contracting Agency agrees to indemnify, defend and hold the City and its departments, elected and appointed officials, employees, agents and volunteers, harmless from and against any and all claims, damages, losses and expenses, including but not limited to court costs, attorney's fees and alternative dispute resolution costs, for any personal injury, for any bodily injury, sickness, disease or death and for any damage to or destruction of any property (including the loss of use resulting therefrom) which: 1) are caused in whole or in part by any act or omission, negligent or otherwise, of the Contracting Agency, its employees, agents, participants or volunteers; or 2) are directly or indirectly arising out of, resulting from, or in connection with Contracting Agency's activity and use under this Agreement; or 3) are based upon the Contracting Agency or their participants, employees, agents, or volunteers presence upon or proximity to the property of the City. This indemnification obligation of the Contracting Agency shall not apply in the limited circumstance where the claim, damage, loss or expense is caused by the sole negligence of the City.

This indemnification obligation shall not be limited in any way by the California State Disability Insurance provisions, or by application of any other worker's compensation act, disability benefit act or other employee benefit act, and the Contracting Agency hereby expressly waives any immunity afforded by such acts. The foregoing indemnification obligations of the Contracting Agency are a material inducement to City to enter into this Agreement and have been mutually negotiated by the parties. The City reserves the right, but not the obligation, to participate in the defense of any claim, damages, losses or expenses and such participation shall not constitute a waiver of Contracting Agency's indemnity obligations under this Agreement. The Contracting Agency agrees all Contracting Agency's indemnity obligations shall survive the completion, expiration or termination of this Agreement.

## **7. INSURANCE:**

Each Party shall maintain its own insurance and/or self-insurance for its liabilities from damage to property and/or injuries to persons arising out of its activities associated with this Agreement as it deems reasonably appropriate and prudent. The Contracting Agency shall provide proof of liability coverage in an amount not less than \$1,000,000 and endorsement naming the City as an additional insured. The maintenance of, or lack thereof of insurance and/or self-insurance shall not limit the liability of the indemnifying party to the indemnified party. All insurance shall be per occurrence.

## **8. TERMINATION:**

Any party hereto may terminate this Agreement upon notice in writing either personally delivered or mailed postage-prepaid by U.S. Mail to the party's last known address or sent by electronic mail to the representative of the Agency . Each of the parties hereby agrees to electronic notification to the representative in Section 5 of this Agreement of the party's intent to terminate the Agreement.

## **9. CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS:**

The Agreement may be changed, modified, amended or waived only by written agreement executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

## **10. SEVERABILITY:**

In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

## **11. ENTIRE AGREEMENT:**

This Agreement contains all the terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

SIGNATURE BLOCKS TO BE ADDED.

DATED this \_\_\_\_ day of \_\_\_\_\_ 2022.

Contracting Agency Has Provided Proof of Liability Coverage: \_\_\_\_\_ Yes \_\_\_\_\_ No



BACK TO AGENDA

**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.7.**

**RECENT POLICE LIABILITY UPDATES**

**INFORMATION ITEM**

**ISSUE:** The Program Managers are providing several items recently in the news and/or decided in court for review and discussion

- Fremont Jury Award of \$20M and related KTVU articles regarding police claims
- Police Liability Market Still Tough For Buyers
- Motion for Summary Judgement Granted and video of incident  
<https://www.youtube.com/watch?v=qJjvCx1JjHs>

**RECOMMENDATION:** Information only.

**FISCAL IMPACT:** None.

**BACKGROUND:** The Committee reviews and discusses events in the news as they may impact their own risk management programs and operations.

**ATTACHMENT(S):**

1. Fremont Jury Award of \$20M and related KTVU articles regarding police claims
2. Police Liability Market Still Tough For Buyers
3. Motion for Summary Judgement Granted and video of incident  
<https://www.youtube.com/watch?v=qJjvCx1JjHs>

# Federal jury awards \$21 million to family after pregnant teen killed by Fremont police

By Lisa Fernandez | Published June 24, 2022 | Updated June 27, 2022 | Fremont | KTVU FOX 2

## Federal jury awards \$21 million to family after pregnant teen killed by Fremont police

A jury late Friday returned a historically high verdict – \$21 million – after Fremont police shot and killed a pregnant teenager nearly five years ago.

**FREMONT, Calif.** - A jury late Friday returned a historically high verdict – \$21 million – after Fremont police shot and killed a pregnant teenager nearly five years ago.

The city has to pay \$10.2 million and the driver of the car in which she was riding in has to pay the other half.

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Civil rights attorney Adante Pointer, who represented the family of Elena "Ebbie" Mondragon in federal court in San Jose, said he has never won, nor heard of, such a high amount in a jury verdict against police.

According to an analysis by KTVU, the most cities have had to pay to families in wrongful death suits over the last five years has been roughly \$5 million per case.

"I hope that verdicts like these force the change that's needed," Pointer told KTVU. "Her death should not have happened."

Pointer tried the case with his partner, Patrick Buelna, and other high-profile civil rights attorneys, Melissa Nold and John Burriss.

The 16-year-old from Antioch was fatally shot by two undercover Fremont police officers — Sgt. Jeremy Miskella, Detective Joel Hernandez and Officer Ghailan Chahouati — on March 14, 2017.

She had been riding in a stolen BMW driven by 19-year-old Rico Tiger, which special task force police officers had tracked to a Hayward apartment complex.

Tiger, who was wanted on suspicion of multiple violent armed robberies, was in the parking lot and after being boxed in, reversed his car into the officers.

### **MORE: Payouts for killings and injuries plummet for Bay Area police departments undergoing reforms**

In response, the police opened fire on the moving car, violating department policy.

Elena was struck by four bullets and later died in the hospital. Her family learned that she had been pregnant at the time.

Tiger was not hit by bullets, crashed the BMW and ran away. He was later arrested in San Francisco. The Alameda County District Attorney has since charged Tiger with murder.

None of the five officers present had their body-worn cameras activated at the time of the shooting, a fact that Pointer said he kept emphasizing during the trial.

The [Bay Area News Group](#) reported that the jury ultimately decided that Tiger was 51% responsible for the teen's death, while Miskella was 25% responsible. Chahouati and Hernandez were both 12% responsible.

Pointer said it's highly likely the family won't ever see Tiger's share of the verdict.

The city's attorney, Patrick Moriarty, could not be immediately reached after the five-day trial that ended Wednesday. The verdict came back after normal court hours on Friday.

But during the trial, the [Bay Area News Group](#) reported that Moriarty told the jury that despite the emotional nature of the case, they must focus on only the evidence when deciding whether the officers used excessive force – which he insisted they did not.

"Ms. Mondragon lost her daughter; she died. She is no longer with us. That is going to make you feel sad," Moriarty told the jury. "Unfortunately, that sadness, that emotion, that sympathy, that cannot be a part of your decision."

### **MORE: A look at the most notable police payouts in the Bay Area**

Pointer said the money shows, in part, how the jury felt about what the police did. But no dollar amount can bring relief to Elena's mother and family.

What was especially painful for the family was that Fremont police were "so dismissive" to them and never once gave them a call to offer support or counseling.

He said he hopes the city will not appeal the verdict.



"They never respected the idea of justice for this family," Pointer said. "You have to fight against all odds and keep fighting. Twenty-one million dollars worth of justice."

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# A look at the most notable police payouts in the Bay Area

By Lisa Fernandez | Published December 30, 2020 | Updated 6:53AM | Investigations | KTVU FOX 2

**OAKLAND, Calif.** - Bay Area police departments have paid out millions to people injured and killed by officers. KTVU requested public records seeking just how much money damages for excessive force and wrongful death was paid by the Bay Area's largest law enforcement agencies from 2015 to the present.

The analysis shows that for the most part, agencies that have been under major reforms over the last decade or more, such as Oakland and San Francisco, paid out significantly less than departments with no oversight, such as the Alameda County Sheriff and Vallejo police.

Here are some of the notable cases:

- [Payouts for killings and injuries plummet for Bay Area police departments undergoing reforms](#)

[Interactive map of notable police payouts](#)

**NO OVERSIGHT: Alameda County Sheriff paid \$27.6 M, which adjusts to about \$27,000 per deputy.**

**Christian Madrigal's** parents, Jose Jaime and Gabriela Covarrubias, received \$5 million in October. Their 20-year-old son was suffering a mental health breakdown and they called 911 for help. Fremont police said Madrigal was resisting their commands and they brought him to Santa Rita Jail in a WRAP. Deputies decided to chain Madrigal to a cell door instead and left him there for several hours. [He ended up hanging himself on the chains he was provided and dying at the hospital in June 2019.](#) The lieutenant at the jail was ousted but not criminally charged.

Widow Ai Qiong Zhong was paid \$4.7 million [after the death of her husband, Dat Thanh Luong,](#) who suffered from schizophrenia and was killed at Santa

Rita Jail in 2016. Her suit claimed that the jail failed to protect him and that they didn't move him to Napa State Hospital in a timely manner. (Zhong's attorneys say the payment was actually \$5.1 million.)

**Stanislav Petrov** received \$5.5 million, the highest jury award in Alameda County in the last five years, after video caught Alameda County sheriff's deputies beating him in a San Francisco alley. He survived the beating.

**SOME OVERSIGHT: San Jose police paid out \$17.5 million, which adjusts to \$18,248 per officer**

**Hung Lam** received \$11.3 million - the largest payout in city history - after San Jose police shot him in the back in 2014, paralyzing him from the waist down. His attorneys argued that he was holding a knife but only threatening to hurt himself when the officer, who wasn't wearing her glasses, overreacted and fired. A jury heard testimony from a retired San Mateo County deputy, who witnessed the shooting and said the officer could have done more to de-escalate the situation. Often payments are higher when a person survives an injury because calculations are done to determine how much that person could have earned if they weren't injured.

Tony Nunez and Sandy Sanchez received \$2.95 million for the death of their son, **Anthony Nunez**. A federal jury found that two San Jose police officers used excessive force when they fatally shot the 18-year-old during a suicidal breakdown in front of his home in 2016. His parents have since moved to Manteca so they don't have to see the bullet holes in the home where he was killed. They also hold an annual backpack fundraiser in his honor, giving away free school supplies and Know Your Rights brochures to young students of color.

**NO OVERSIGHT: Santa Clara County Sheriff paid out \$9.07 million, which adjusts for \$6,242 per officer**

The family of **Michael Tyree** was paid \$3.6 million after the mentally ill man was beaten to death in 2015 by three jail guards, who were also criminally charged. An investigation determined he had been beaten hours before he was found in his cell. Tyree, who was serving time for misdemeanor theft and drug possession, had been housed by himself in a section of the jail reserved for inmates who are in protective custody or have special needs. Three correctional officers were charged with murder in Tyree's death.

**Brandon Marshall's** family was awarded \$2 million after a deputy shot him in the stomach in 2013. Marshall suffered from mental illness and was acting manic. When deputies arrived, he was holding a key fob, but they thought it was a spike.

**NO OVERSIGHT: Vallejo police paid out \$6.5 million, which adjusts \$60,185 per officer**

The family of **Ronell Foster** received \$5.7 million after he was fatally shot in 2018 by police officer Ryan McMahon who originally stopped him on his bicycle for not having the proper headlight. McMahon contended the killing was in self-defense after Foster, 33, grabbed his flashlight. But Foster's attorneys said he only grabbed the flashlight after he was shocked by a stun gun. McMahon fired

seven shots from his gun, some of which hit Foster in the back. "What Mr. Foster did is what anyone would do in a similar situation like that when you are mercilessly being beaten to death," civil rights attorney Adante Pointer said. McMahon has since been fired.

**Carl Edwards** was paid \$750,000 after he suffered a "brutal, unprovoked police beatdown" in 2017. Police got a tip that Edwards had been shooting a slingshot in the neighborhood at children. Police tackled him to the ground, sat on his neck and struggled with him, but it turned out, he was not the suspect. "This is one of the most brutal, unprovoked police beatdowns I've seen in almost 30 years of practice," Edwards attorney, Michael Haddad, said.

**SOME OVERSIGHT: BART police paid out \$5.4 million, which adjusts to \$27,000 per officer**

A federal jury awarded the family of **Sahleem Tindle** \$6.34 million after he was fatally shot during a 2018 struggle with a BART officer. Police said he had a gun, but his family said that the officer shot him while his back was turned.

**NO OVERSIGHT: Hayward police paid out \$3.6 million, which adjusts to \$29,134 per officer**

The son of **Roy Nelson** received \$999,000 after police placed the 42-year-old in a restraint during a mental health crisis in 2015. His family had called for a transport to the hospital. Police ended up waiting in a parking lot for paramedics instead of driving him there. Nelson started having a panic attack and kicked at the patrol car windows. Police restrained him in a WRAP and knelt on his back while he cried out, "I can't breathe." He died at the scene.

**STRONG OVERSIGHT: Oakland police paid out \$3.02 million, which adjusts to \$3,813 per officer**

The mother of **Joshua Pawlik** was awarded \$1.4 million in a settlement with Oakland. Pawlik was passed out with a gun in his hands in front of an Oakland home in 2018. When he came to, his arm twitched with the gun in his hand. Police surrounded him in a Bearcat and used the military vehicle as a perch from which to fatally shoot him. Police Chief Anne Kirkpatrick cleared the shooting as justifiable. The federal monitor and Oakland Police Commission disagreed, with the latter body firing her. The officers involved were also sent termination letters. The police commission is drawing up new Bearcat policies and banned the purchase of a second one.

The family of **Demouria Hogg** was paid \$1.2 million after Oakland police shot and killed him in 2015. He was in a BMW a few blocks away from Lake Merritt when firefighters saw him asleep inside his running car and called police because there was a gun on the passenger seat. Police said they thought he reached for his gun and they killed him.

**OVERSIGHT: San Francisco police paid out \$2.6 million, which adjusts to \$1,319 per officer**

San Francisco police paid the mother of Mario Woods \$400,000 after police shot and killed the 26-year-old in 2015. Five officers shot Woods 20 times when he was encountered holding a knife on a city street. Woods was suspected of

having committed a stabbing. Much of the altercation was recorded in cellphone video that was widely seen. The Department of Police Accountability concluded that the officers used "unnecessary force," but they will not be disciplined.

**NO OVERSIGHT: San Francisco Sheriff' Department did not comply with the request**

**NO OVERSIGHT: The CHP Golden Gate Division paid out \$2.5 million, which adjusts to \$2,312 per officer**

**NO OVERSIGHT: San Mateo County paid out \$2.49 million, which adjusts to \$3,112 per officer**

**SOME OVERSIGHT: Richmond police paid out \$1.67 million, which adjusts to \$9,463 per officer**

The family of Richard "Pedie" Perez, was awarded \$850,000 after he was fatally shot by a Richmond police officer during a confrontation in front of Uncle Sam's Liquors in 2014. Richmond's Citizen Police Review Commission sustained a complaint that excessive and unreasonable force was used against the 24-year-old. Multiple investigations have cleared the officer, but the family believes those were flawed and one-sided.

**NO OVERSIGHT: Contra Costa County paid out \$1.48 million, which adjusts to \$2,114 an officer**

The Contra Costa County Sheriff paid [Brian Hofer](#), an East Bay privacy advocate, \$49,500 after deputies stopped him and his brother at gunpoint in 2019 because license plate readers flagged him as a car thief. He wasn't injured but he claimed the stop was excessive.

**Police agencies with oversight pay less in civil penalties**

Police agencies that have independent oversight are paying much less in civil penalties for injuring or killing people than many departments left to police themselves, a KTVU investigation has found. Evan Sernoffsky reports

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**Gross amounts of Bay area wrongful death/excessive force police payouts from 2015 to 2020**

- Alameda County Sheriff \$27.6 million
- San Jose police \$17.5 million
- Santa Clara County Sheriff \$9.07 million
- Vallejo police \$6.5 million
- BART police \$5.4 million
- Hayward police \$3.26 million
- Oakland police \$3.02 million

- San Francisco police \$2.6 million
- CHP Golden Gate: \$2.5 million
- San Mateo County \$2.49 million
- Richmond police \$1.67 million
- Contra Costa County Sheriff \$1.48 million
- Fremont police \$699,393

### **Bay Area police payouts per officer from 2015 to 2020**

- Vallejo police \$60,185 per officer
- Hayward police \$29,134 per officer
- Alameda County Sheriff \$27,600 per officer
- BART police \$5.4 million \$27,000 per officer
- San Jose police \$18,248 per officer
- Richmond police \$9,463 per officer
- Santa Clara County Sheriff \$6,242 per officer
- Oakland police \$3,813 per officer
- Fremont police \$3,500 per officer
- San Mateo County Sheriff \$3,112 per officer
- CHP Golden Gate \$2,312 per officer
- Contra Costa County Sheriff \$2,114 per officer
- San Francisco police \$1,319 per officer

*Lisa Fernandez is a reporter for KTVU. Email Lisa at [lisa.fernandez@foxtv.com](mailto:lisa.fernandez@foxtv.com) or call her at [510-874-0139](tel:510-874-0139). Or follow her on Twitter [@ljfernandez](https://twitter.com/ljfernandez).*

# Payouts for killings and injuries plummet for Bay Area police departments undergoing reforms

By Evan Sernoffsky and Lisa Fernandez | Published December 30, 2020 | Updated December 31, 2020 | Investigations | KTVU FOX 2

## Police agencies with oversight pay less in civil penalties

Police agencies that have independent oversight are paying much less in civil penalties for injuring or killing people than many departments left to police themselves, a KTVU investigation has found. Evan Sernoffsky reports

**OAKLAND** - In one case, a man experiencing a mental-health crisis hanged himself after deputies shackled him to a jail door. In another, five police officers fired 26 rounds at a stabbing suspect as he shuffled along a wall holding a knife. And in another case, an officer chased an unarmed bicyclist into an alley before fatally opening fire during a scuffle.

These are just some of the use-of-force cases by Bay Area law enforcement officers that resulted in millions of dollars in civil payouts over the last half-decade.

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The most controversial incidents prompted departments to undergo sweeping reforms, limiting when officers can use force and empowering independent oversight. Many of the cases, though, resulted in no discipline for the officers, who were cleared by their departments and prosecutors.

Now, a KTVU investigation has found that Bay Area law enforcement agencies engaged in long-term reform efforts -- including having independent oversight -- are paying much less in civil penalties in recent years for injuring or killing people than many departments left to police themselves.

- [A look at the most notable police payouts in the Bay Area](#)

In fact, two Bay Area cities that once paid out the most -- Oakland and San Francisco -- showed stunning turnarounds after taking on some of the most comprehensive reforms in the country. The numbers, advocates say, are a telling metric as calls for police accountability continue to mount nationally following high-profile cases like the killing of George Floyd in Minnesota.

"If you have independent police oversight, then you have more eyes on the department and police tend to behave better," said LaDoris Cordell, a retired judge and former independent monitor for the San Jose Police Department. "If nothing else, if cities are resistant to oversight, this makes the case."

KTVU requested data on money damages -- both negotiated settlements and jury awards -- for excessive force and wrongful death paid by the largest law enforcement agencies in the Bay Area over the last five years. KTVU only used figures associated with cases that were the result of officers using force, not for incidents such as traffic accidents.

The findings revealed: The Alameda County Sheriff's Office paid the most at \$27.6 million, followed by the San Jose Police Department at \$17.5 million. Both agencies employ about 1,000 sworn personnel. Vallejo police with roughly around 100 officers, paid \$6.5 million -- the highest amount when adjusted for the size of the department. These agencies have minimal or no long-term oversight.

Two of the lowest-paying agencies were San Francisco and Oakland. The San Francisco Police Department, with almost 2,000 officers, paid \$2.6 million while the Oakland Police Department, with close to 800 officers, paid just over \$3 million.

But things were much different a decade ago.

In 2011, [a KTVU investigation](#) found Oakland police paid \$57 million and San Francisco police paid \$28 million between 2000 and 2010 -- the two highest in the Bay Area.

But civil rights advocates say these payouts are about much more than the bottom line.

"Behind those dollars, there are people whose lives are lost. There are people who were stopped for no reason. There are people who were beat up and that doesn't do anything to help community relations," said Jim Chanin, a civil rights attorney, who sued the Oakland Police Department in the infamous Riders case two decades ago.

The San Francisco and Oakland agencies have since adopted major reforms, including stricter use-of-force policies, community policing initiatives, anti-bias measures, and both must answer to independent authorities.

Oakland police have been under the supervision of federally appointed independent monitor Robert Warshaw since 2003, following the Riders case, in which citizens reported being beaten and framed by multiple police officers. In



2013, a federal judge appointed a compliance director to make sure the department was meeting its reform objectives.

Then in 2016, Oakland voters approved the forming of the civilian police commission with the power to investigate misconduct and fire the chief.

And last year, [the commission fired then-Police Chief Anne Kirkpatrick](#) over the shooting of Joshua Pawlik, who police killed in 2018 after he was found sleeping in someone's yard with a gun in his hand. Kirkpatrick had cleared the officers. But the police commission and Warshaw both disagreed.

In addition, [Oakland paid \\$1.4 million to Pawlik's mother](#) -- the department's largest payout in KTVU's analysis. But even with the settlement in Pawlik's case, Oakland's is paying little compared to what it used to.

"I go through those figures and say we were the worst and now we have to strive to be the best," said Chanin, whose lawsuit in the Riders case initiated Oakland's reform process.

Reforms began more recently in other parts of the Bay Area, namely San Francisco.

The city's police force came under review of the federal Justice Department following high-profile police killings, like [the 2015 shooting of Mario Woods](#). He was suspected in a stabbing and was shuffling along a wall and refusing to drop a knife when five officers opened fire, killing him. San Francisco [settled the Woods case last year for \\$400,000](#).

The Trump administration abandoned the reform program in 2016, [so the state Attorney General's office began overseeing San Francisco's police department](#).

The city also has a civilian police commission with the power to discipline officers and an independent watchdog agency, the Department of Police Accountability, which investigates police misconduct and can recommend discipline.

But Oakland and San Francisco's reform programs are unique in the Bay Area.

In contrast, the Alameda County Sheriff's Office -- which has no independent oversight -- has paid out the most of all the Bay Area departments. The sheriff is elected and the Board of Supervisors has no authority other than control of the budget.

The most recent Alameda County Sheriff's payout was \$5 million to the parents of Christian Madrigal.

The 20-year-old [was experiencing a mental health crisis in 2019 and deputies chained him to a cell door at Santa Rita Jail](#), leaving him there for several hours. Madrigal hanged himself to death on the handcuffs. A lieutenant was fired after Madrigal's death, but the district attorney declined to prosecute anyone.

Jose Jaime, Madrigal's stepfather, said the money from the settlement makes him "sick." But with no criminal charges, he said the huge settlement is the only

way to hold the sheriff's office accountable.

"I don't want the money," Jaime said. "But it's a sign that they did something wrong."

The payout was the agency's second-highest in recent history after a \$5.6 million settlement paid to Stanislav Petrov. Two deputies [allegedly beat Petrov in a San Francisco alley after a chase in 2015 that was caught on video](#). They were later fired and criminally charged.

In an interview with KTVU, Alameda County Sheriff Greg Ahern said he has recently identified gaps in training and addressed his rank-and-file deputies regarding use-of-force. He said he's changed the office's Internal Affairs protocols and expanded de-escalation training.

"Our job is to be that of a protector and a guardian, making sure we are more like the sheepdog protecting the sheep, but every once in a while we'll have to confront the wolf," Ahern said.

He added that he would be cautious about an outside civilian group with little institutional knowledge overseeing his office.

"We hope that somebody that has some type of law enforcement background or understanding of law enforcement would come out and actually be able to help us instead of just be critical of what we're doing," he said.

The second-highest figure over the last five years was from the San Jose Police Department. Most of that came from [an \\$11.3 million jury award to Hung Lam](#), who was paralyzed when officers shot him in 2014 as he held a knife. A jury heard testimony from a retired San Mateo County deputy, who witnessed the shooting and said the officer could have done more to de-escalate the situation.

A jury also [awarded the parents of Anthony Nunez \\$2.95 million](#). San Jose police in 2016 fatally shot Nunez, who was suicidal and had shot himself, after they were called to his home on the Fourth of July. Police said Nunez pointed a gun at them when they opened fire, a claim disputed by a witness. The officers were later cleared in the shooting.

"We received the money and I was in bed for two months after," said Sandy Sanchez, who raised Nunez. "I didn't want to spend a penny of it because I knew where it came from."

The family eventually used the money to help buy a house so they could move out of the home where their son was killed.

San Jose has limited oversight of its police department. Its independent auditor cannot investigate or discipline officers. Voters in November, though, approved Measure G, which will give the auditor's office the power to investigate police misconduct.

The San Jose Police Department referred requests for comment to the city attorney's office, which did not comment.

Bay Area attorney Rocky Lucia, whose firm represents rank-and-file officers in use-of-force cases, said civil penalties don't necessarily signal wrongdoing.

He said that with the advent of body-worn cameras and cell phone video, police are under heightened scrutiny and municipalities may be more willing to cut deals with plaintiffs rather than risk an even larger jury verdict.

"We handle so many of these cases, officer-involved shootings, and for the life of me, I don't know why they're settled because the officer did nothing wrong," Lucia said. "But I think the optics are that it was on TV and it was on social media and the video looks bad."

And Vallejo certainly has a large number of controversial cases that were captured on video.

KTVU's analysis found that the beleaguered police force has the highest dollar payout per officer in the last five years. [Vallejo police have killed 19 people over the last decade](#) and 14 officers have been involved in multiple shootings.

The largest payout came with the case of Ronell Foster, who was shot dead by Officer Ryan McMahon during a scuffle in an alley in 2018. The incident was [captured on McMahon's body-worn camera](#) and Vallejo paid Foster's family \$5.7 million. [McMahon was later fired](#).

But Vallejo is still facing more than 20 civil rights claims, which the [city manager believes could expose the city to some \\$50 million](#) in future liability.

The city hired Police Chief Shawny Williams last year, [who pledged to reform the department](#). But under his watch, [an officer fatally shot Sean Monterrosa](#) in June. The officer said he mistook a hammer in Monterrosa's pocket for a gun.

Williams has since [agreed to work with the state Attorney General's office](#) to overhaul the department's policies and practices.

Monterrosa's killing, though, has continued to inflame tensions between the small agency and the community -- a rift mirrored in cities around California and beyond.

Cordell, the retired judge, said one way to improve those relations, while also saving money, is to expand police reform throughout the country.

"Every department in the country should have independent oversight," she said. "Police should not be policing themselves."

### **Methodology**

KTVU requested money damages for excessive force and wrongful death paid by the Bay Area's largest law enforcement agencies between 2015 and 2020. This includes jury awards in lawsuits and civil settlements by municipalities for legal claims and lawsuits. KTVU narrowed its focus specifically to use-of-force incidents with a goal to understand the effects of policy reforms. We specifically requested excessive force and wrongful death cases. In the analysis, KTVU did not include figures associated with wrongful arrests and convictions alone, or cases of wrongful deaths, like traffic accidents that were not the result of an officer using force. This

means we excluded some high-profile cases, like the kidnapping of Denise Huskins. In that case, Vallejo police wrongly blamed the victim for orchestrating a hoax. A defamation lawsuit later settled for \$2.5 million. The analysis also found that some agencies that have not been under any reforms paid very little. For example, the San Mateo County and Contra Costa County sheriff's offices paid \$2.49 million and \$1.48 million respectively. And to be clear, many of these agencies vary in size and have different functions. The Alameda County Sheriff's Office, for example, operates the largest jail in the region while also having a large patrol and investigation units.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANN ROSALIA, et al.,  
Plaintiffs,

v.

CITY OF HAYWARD, et al.,  
Defendants.

Case No. [21-cv-00380-VC](#)

**ORDER GRANTING SUMMARY  
JUDGMENT**

Re: Dkt. No. 42

In excessive force cases like this one, police violate the Fourth Amendment where their actions prove objectively unreasonable “given the totality of the circumstances.” *Nehad v. Browder*, 929 F.3d 1125, 1132 (9th Cir. 2019). Courts “must balance the nature and quality of the intrusion on the individual’s Fourth Amendment interests against the importance of the governmental interests alleged to justify the intrusion.” *United States v. Place*, 462 U.S. 696, 703 (1983); *see also Tennessee v. Garner*, 471 U.S. 1, 8 (1985). Each case presents its own unique context, but some key factors in the analysis include “the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.” *Graham v. Connor*, 490 U.S. 386, 396 (1989). The “most important” factor, the Ninth Circuit instructs, is whether the suspect posed an imminent threat to officers or bystanders. *Mattos v. Agarano*, 661 F.3d 433, 441 (9th Cir. 2011) (en banc). Additional factors include whether the officers identified themselves and warned the suspect that they would use deadly force. *Browder*, 929 F.3d at 1137–38. Through it all, courts must judge officers’ use of force “from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” *Graham*, 490 U.S. at 396.

The video tells the story. Before arriving at the scene, the officers learned that Rosalia had been involved in a road altercation and that he might be armed with a gun. The officers arrived to find Rosalia enraged and ranting. He exclaimed “that motherfucker cut me off” and yelled “fuck you guys” at the police who had just arrived. The officers told Rosalia “let’s work it out” and urged him to “calm down,” asking him repeatedly whether he’d like them to call an ambulance. Rosalia, meanwhile, walked into his garage and stormed out with a long knife clenched in his right fist. At this point, the officers shouted repeatedly “put it down, put it down.” But instead of dropping the knife, Rosalia assumed an aggressive posture and began waving the blade toward the officers. Some officers drew a taser; others a gun. Officer Naik, standing somewhere between five and ten feet from Rosalia, drew his firearm as the police continued to shout at Rosalia to drop the knife. Rosalia didn’t: He lowered the blade toward his right hip, still holding it in a threatening manner, just feet from Naik (and even fewer feet from Rosalia’s son, standing to his left). As Rosalia lurched forward, Naik fired multiple shots.

At each turn, the officers acted reasonably to confront a rapidly unfolding and dangerous situation, a conclusion with which no reasonable jury could disagree. Donned in their official uniforms, the officers clearly identified themselves as police. They first attempted to de-escalate a heated situation by urging Rosalia to calm down and offering to get him medical help. When Rosalia stormed out of his garage carrying a deadly weapon, they urged him to drop it and unholstered their weapons, giving Rosalia ample warning of what might happen if he didn’t comply. *See Browder*, 929 F.3d at 1137–38. And when Rosalia—his right hand holding a multi-inch knife—moved toward Naik, standing just feet away, Naik did what any reasonable officer would: He stopped an imminent threat to his life. *Mattos*, 661 F.3d at 441; *Graham*, 490 U.S. at 396.

The plaintiffs are correct to note that often the question of whether officers acted reasonably turns on facts that a jury is best equipped to decide, and so summary judgment should be granted sparingly. But here, several recordings document undisputed facts that lead to only one reasonable conclusion. *See Scott v. Harris*, 550 U.S. 372, 378 (2007) (deciding summary


judgment based on uncontroverted video evidence). Faced with a deadly and unpredictable threat in a volatile context, the officers reasonably deployed deadly force.

The plaintiffs also note that one officer can be overheard on the recordings yelling “tase him” repeatedly once Rosalia came out of the garage with the knife. Perhaps, in hindsight, it would have been a better tactical move to tase Rosalia as soon as he came out of the garage. But this does not preclude summary judgment for the defendants. *Graham*, 490 U.S. at 396–97; *see also Monzon v. City of Murrieta*, 978 F.3d 1150, 1158–59 (9th Cir. 2020). The officers cannot be blamed for continuing to try to deescalate the situation rather than immediately tasing Rosalia when they saw the knife. And by the time Naik did shoot Rosalia, he was justified in doing so, given the imminent and serious threat.

Because no reasonable jury could conclude that the officers used excessive force, the defendants prevail as a matter of law on all claims brought by the plaintiffs, and judgment will be entered accordingly.

**IT IS SO ORDERED.**

Dated: July 5, 2022

  
\_\_\_\_\_  
VINCE CHHABRIA  
United States District Judge



**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**Agenda Item E.8.**

**ROUND TABLE DISCUSSION**

**INFORMATION ITEM**

**ISSUE:** The floor will be open to the Committee for discussion.

**Item #1 – 30x30 Initiative**

The 30×30 Initiative is a coalition of police leaders, researchers, and professional organizations who have joined together to advance the representation and experiences of women in policing agencies across the United States. The link is <https://30x30initiative.org/about-30x30/>

Currently, women make up only 12% of sworn officers and 3% of police leadership in the U.S.

This under-representation of women in policing undermines public safety. Research shows women officers use less force and less excessive force; are named in fewer complaints and lawsuits; are perceived by communities as being more honest and compassionate; see better outcomes for crime victims, especially in sexual assault cases; and make fewer discretionary arrests.

**“Our ultimate goal is to increase the representation of women in police recruit classes to 30% by 2030, and to ensure police policies and culture intentionally support the success of qualified women officers throughout their careers”**

**Item #2 – Wellness Training – Chief Carli**

**Wellness:**

- The Future of Officer Wellness: Tools, Strategies, and Innovative Solutions
- Implementing an effective wellness program: *Taking it to the next level*
- Officer Safety and Wellness: *A national priority*
- Pandemic, Protests and Policing: *Strategies for Mental and Physical Well-Being*
- Officer wellness in the 21st Century: *Using technology to improve resilience*
- Resilience: *The keys to thriving as first responders - Personal Toughness and Emotional Wellness*

**RECOMMENDATION:** None.

**FISCAL IMPACT:** None.

**BACKGROUND:** Alliant and Sedgwick organize the NCCSIF Police Risk Management Committee meetings. These meetings are held on a quarterly basis and a Round Table Discussion Item is included in the agenda.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND**  
**22-23 Organizational Chart**  
**Updated as of 7/5/2022**

MEMBER ENTITY	BOARD OF DIRECTORS		BOARD ALTERNATES	RISK MANAGEMENT COMMITTEE	POLICE RISK MANAGEMENT COMMITTEE
City of ANDERSON	<b>P/EC</b>	<b>**Liz Cottrell (Chair)</b>	Jeff Kiser	Liz Cottrell	Chief Michael Johnson
City of AUBURN	<b>*EC</b>	<b>*Nathan Bagwill</b>	April Hildalgo	April Hildalgo	Chief Ryan L. Kinnan(Vice-Chair)
City of COLUSA		Ishrat Aziz-Khan	Shelly Kittle	Ishrat Aziz-Khan	Chief Josh Fitch
City of CORNING	<b>EC / CC</b>	<b>*Kristina Miller</b>	Tom Watson	Tom Watson	Chief Jeremiah Fears
City of DIXON	<b>VP/EC</b>	<b>**Rachel Ancheta (Vice- Chair)</b>	Kate Zawadzki	Rachel Ancheta Kim Staile Jim Ramsey Anjmin Mahil - Alternate	Chief Robert Thompson
City of ELK GROVE	<b>*EC</b>	<b>*Kara Reddig</b>	Jim Ramsey		Assistant Chief Paul Soloman
City of FOLSOM		<i>Vacant</i>	Steven Wang	<i>Vacant</i>	Chief Rick Hillman
City of GALT		Stephanie Van Steyn	Lorenzo Hines	Stephanie Van Steyn	Chief Brian Kalinowski
City of GRIDLEY		<i>Vacant</i>	Elisa Arteaga	Elisa Arteaga	Chief Rodney Harr
City of IONE	<b>EC / CC</b>	<b>*Michael Rock</b>	Chris Hancock	Michael Rock	Chief Jeff Arnold
City of JACKSON		<b>*Yvonne Kimball</b>	Dalacie Blankenship	Yvonne Kimball	Interim Chief Chris Mynderup
City of LINCOLN		Veronica Rodriguez	Ruthann Codina	Veronica Rodriguez	Chief Doug Lee
City of MARYSVILLE	<b>S / EC / CC</b>	<b>*Jennifer Styczynski</b>	<i>Vacant</i>	Jennifer Styczynski	Chief Chris Sachs
City of NEVADA CITY		Sean Grayson	Gabrielle Christakes	Sean Grayson	Chief Chad Ellis
City of OROVILLE		Liz Ehrenstrom	<i>None Appointed</i>	Liz Ehrenstrom (Chair)	Lt. Gil Zarate
Town of PARADISE		Ross Gilb	Crystal Peters	Crystal Peters	Chief Eric Reinbold
City of PLACERVILLE		Dave Warren	Cleve Morris	Dave Warren	Chief Joseph Wren
City of RED BLUFF	<b>EC</b>	Tom Westbrook	Anita Rice	Tom Westbrook	Chief Kyle Sanders (Chair)
City of RIO VISTA	<b>T/*EC/*CC</b>	Jennifer Schultz	<b>**Jen Lee, CPA</b>	Jose Jasso	Chief Jon Mazer
City of ROCKLIN	<b>EC</b>	Andrew Schiltz, CPA	Amanda Tonks	Andrew Schiltz, CPA	Chief Chad Butler
City of WILLOWS		Marti Brown	<i>None Appointed</i>	Marti Brown	N/A
City of YUBA CITY	<b>EC/CC</b>	<b>**Spencer Morrison</b>	Natalie Springer	Sheleen Loza	Chief Brian Baker

OFFICERS		
		Term of Office
<b>President (P)</b>	Liz Cottrell	7/1/2022- 6/30/2024
<b>Vice President (VP)</b>	Elizabeth Ehrenstrom	7/1/2022- 6/30/2024
<b>Treasurer (T)</b>	Jen lee	7/1/2022- 6/30/2024
<b>Secretary (S)</b>	Jennifer Styczynski	7/1/2022- 6/30/2024

**Executive Committee (EC)** - membership on the EC rotates annually based on a rotation schedule and each member serves for a two-year term, with the **President** serving as **Chair of the Committee**.

**Claims Committee (CC)** - members of the CC are annually selected by the EC. CC is traditionally made up of at least five members of the EC, with the **Vice President** serving as **Chair of the Committee**.

**CJPRMA Board Representative** Elizabeth Ehrenstrom appointed 6/17/2021

**CJPRMA Alternate Board Representative** Stephanie Van Steyn appointed 4/22/2022

PROGRAM ADMINISTRATORS (Alliant Insurance Services)		CLAIMS ADMINISTRATORS (Sedgwick formerly York)	RISK CONTROL CONSULTANTS (Sedgwick formerly York/Bickmore)	ADVISORS
Marcus Beverly	Conor Boughey	Bernie Gargain (WC)	Eric Lucero	Byrne Conley (Board Counsel)
Jenna Wirkner		Dori Zumwalt (WC)	Tom Kline (Police RM)	James Marta, CPA (Accountant)
		Summer Simpson (Liability)		



## PROGRAM YEAR 22/23 MEETING CALENDAR

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Thursday, August 4, 2022,..... **Police Risk Management Committee** at 10:00 a.m.

Thursday, September 22, 2022\* ..... **Claims Committee** at 10:00 a.m.  
*Executive Committee* at 11:30 a.m.

Thursday, October 20, 2022\*\* ..... **Risk Management Committee** at 10:00 a.m.  
**Board of Directors** at 12 noon

Thursday, November 3, 2022,..... **Police Risk Management Committee** at 10:00 a.m.

Thursday, December 15, 2022\*\* ..... **Board of Directors** at 10:00 a.m.

Thursday, February 9, 2023,..... **Police Risk Management Committee** at 10:00 a.m.

Thursday, March 23, 2023\* ..... **Claims Committee** at 10:00 a.m.  
*Executive Committee* at 11:30 a.m.

Thursday, April 20, 2023,..... **Risk Management Committee** at 10:00 a.m.  
**Board of Directors** at 12 noon

Thursday, May 4, 2023,..... **Police Risk Management Committee** at 10:00 a.m.

Thursday, May 25, 2023\* ..... **Claims Committee** at 10:00 a.m.  
*Executive Committee* at 11:30 a.m.

Thursday, June 22, 2023\*\* ..... **Board of Directors** at 10:00 a.m.

Meeting Location: Rocklin Event Center - Garden Room  
2650 Sunset Blvd., Rocklin, CA 95677

Rocklin Event Center – Ballroom \*\*  
Zoom Teleconference\*

Note: Additional Claims Committee Meetings may be scheduled as needed for Claims Authority approval which will be held via teleconference.



**Northern California Cities Self Insurance Fund  
Police Risk Management Committee Meeting  
August 4, 2022**

**TRAINING SESSION AT 11:30 A.M.**

**INFORMATION ITEM**

**TOPIC:** Presentation will address the latest in law enforcement interactions with the mentally ill.

- (1) How the law is ever-changing against police
- (2) How policies, training, and the law are changing vis-à-vis crisis intervention
- (3) How cities are responding to public sentiment (e.g., more and more are creating non-armed mental-health teams, like the CAHOOTS program in Eugene, OR)

Presented by: Kevin Allen of Allen, Glaessner, Hazelwood & Werth

**Date and Time:**

Thursday, August 4, 2022 @ 11:30a.m.–1:00p.m.

**Location:**

Rocklin Event Center - Garden Room  
2650 Sunset Blvd  
Rocklin, CA 95677

**Who should attend:**

Risk Managers, Police Chiefs and Command Staff.

**ATTACHMENT:** Announcement - Social Worker, Therapist, Cop: Managing Today's Police Risk

# SAVE THE DATE - 8/4/22 - REGIONAL TRAINING

## Social Worker, Therapist, Cop: Managing Today's Police Risk

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### RSVP:

Jenna.Wirkner@alliant.com  
916-643-2741

### Presenters:

#### Kevin Allen:

Kevin Allen, a partner of the firm, is a member of the firm's public entity practice group. Mr. Allen focuses on defending police officers and departments in civil rights litigation, including First, Fourth, and Fourteenth Amendment claims. These cases cover a range of issues, including use-of-force, search-and-seizure, retaliation, and due process. Mr. Allen also defends self-insureds and private transportation clients in general civil litigation. Mr. Allen has extensive trial experience in both state and federal court. He also presents to law enforcement groups throughout the year on a variety of topics, including use-of-force, interactions with the mentally ill, and the First Amendment.



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