



Conference Training Sessions

“The Importance of Personnel Record Confidentiality”

Instructor: Alison Berry Wilkinson

Friday, November 20, 2015

3:10pm – 4:30pm

An in-depth discussion of the legal principles governing peace officer personnel record confidentiality, the importance of these provisions in protecting officers in misconduct proceedings, and recent developments in case law and legislation. This section will also include a discussion of both past and anticipated future attempts at erosion of these important confidentiality provisions on both the legislative and public relations fronts due to the current climate of increasingly intense public scrutiny of police conduct.



“How Technology and Social Media Have Destroyed the First and Fourth Amendment Rights of Cops - Issues in Internal Affairs Investigations and Critical Incident Investigations”

Instructor: Michael L Rains

Saturday, November 21, 2015

1:30pm – 2:50pm

Mike Rains will deliver a lively discussion, and invite commentary from those in attendance, about whether or not police officers dare to utter via text message or email on their personally-owned communication device anything which could conceivably be regarded by others as insensitive, uncaring, sexist, racist or homophobic. Officers may not have lost first amendment rights to text, tweet and post—but have they lost the right to be police officers if their texts, tweets or posts meet the disapproval of their administration? What can Officers do to avoid career-ending consequences for merely engaging friends and confidants in personal and private conversations, gossip, jokes, and the like? How in the world can the employers lawfully obtain cell phone/private social media data in an administrative investigation for misconduct? And how has the digital era changed the way Officers may need to respond to critical incident investigations and/or changed the way in which law enforcement.



“Vested Rights and Protecting Health Care Benefits During Negotiations”

Instructors: David Mastagni, Jr, & Michael W. Jarvis

Saturday, November 21, 2015

1:30pm – 2:50pm

The class will cover the law governing vested rights, recent litigation over impairment of retiree medical benefits, advice on how to negotiate retiree subsidies that vest beyond the term of the MOU, alternatives to medical subsidies and negotiating changes in medical benefits under the ACA.



“2015 Update: Negotiating In The Fact Finding Era; Lessons Learned”

Instructor: Stuart Adams

Friday, November 20, 2015

1:30pm – 2:50pm

Since the advent of The Fact Finding Process under California Government Code Section 3505.4, multiple Associations have gone to impasse and utilized the process. The results have been pleasantly surprising. Even though the process is advisory, many of those agencies have found success in one form or another in the outcome. Some have seen a contract matching the fact-finding award. Many have seen more money come out of the process than was on the table prior to the commencement of the process. This course will focus upon those strategies which have proven successful. Additionally, the defenses encountered will be presented. This course is essential in educating Associations in how to maximize their position in this era of bargaining based upon the lessons learned.



“From Complaint to Conviction - How to Help Your Association Members Navigate Through Criminal and Administrative Investigations”

Instructor: Rick Pinckard and Brad Fields

Saturday, November 21, 2015

3:10pm – 4:30pm

All association leaders will be approached by their members when the member is subject to criminal or administrative investigation. As such, all association leaders should have a basic working knowledge of the rights afforded to peace officers when they are under investigation so that they can assist their members in their hour of need. This topic would cover what association leaders should and should not do when members approach them for LDF-related assistance. It will cover topics such as the difference in rights afforded to members subject to criminal vs. administrative investigations, when members should contact LDF for legal representation vs. attempting to handle representation with an association representative, and what association leaders should do immediately following a critical incident.



"Good Shoot-Bad Press. Officer Self-Preservation in a Coarsening Culture"

Instructor: Paul Goyette

Friday, November 20, 2015

3:10pm – 4:30pm

Description: A discussion of the latest developments, new laws, and Government policy trends following a series of high profile use of force cases including Michael Brown, Freddie Gray, Eric Garner, Walter Scott and other cases. How to navigate the changing landscape of Grand Juries, Department of Justice investigations and review panels, video and other incident evidence, and the quickly changing laws. Have a strategy to keep your career on track.



“Proactive Law Enforcement Under Attack”

Instructor: Howard Liberman

Friday, November 20, 2015

1:30pm – 2:50pm

We enter law enforcement to help others and catch bad guys. Veteran officers have been taught to proactively contact suspicious subjects based on “reasonable suspicion”. Recently, proactive law enforcement has been increasingly criticized by courts, politicians and the media. At the same time, rapidly changing laws arising from ballot initiatives and legislation, are making it more difficult for us to perform our law enforcement duties.

- Use of Force: the shift from *Graham v. Connor* to *Hayes v. County of San Diego*.
- Misapplication of *Hayes* by political bodies (i.e., the *Ezell Ford* decision).
- From Proposition 47 to proposed legislation like AB 66; they keep making it harder for us to do our jobs.
- The media frenzy for the next sensational video.
- The duty to act.



“Making a Federal Case Out of it”

Instructor: Michael P. Stone and Muna Busailah

Saturday, November 21, 2015

3:10pm – 4:30pm

From The Rodney King Beating Through The Los Angeles County Jail Corruption Cases -- Understanding How Local Police Become Defendants In Federal Criminal Cases, And What To Expect When It Happens.

This segment will serve to inform us about the elements of federal law that are most often invoked to charge police acting under color of state law with federal crimes such as *violation of civil rights, obstruction of justice, conspiracy, aiding and abetting, and so on*. What if there is a collateral state prosecution or acquittal on the same charges – is it double jeopardy? What kind of defense evidence works in these cases? What role does the police trainer have in defending against excessive force claims? We will look at the dynamics of the Rodney King beating 25 years ago, through the Los Angeles County Jail corruption and obstruction trials currently underway. What are the “rules of engagement?” What is the “policy and training paradigm” and how does it relate to successful defense against these claims? How important are experts in policy and training to a successful defense? How does the advent and availability of wide-scale video affect the outcomes of these cases, particularly body-worn devices? Are department force policies implicated, and if so, how? Are police reports, statements and testimony now “inherently suspect”? Federal grand juries and SB227 in California: the view from the trenches.