

Assistant County Counsel
Thomas E. Ebersole

Chief Deputies
Jenna M. Anderson
Jeffrey B. Grant
Jennifer O. Trimble



OFFICE OF THE COUNTY COUNSEL
FORREST W. HANSEN
County Counsel

Deputies
David I. Hood
Charles L. Bruce
Michael E. Profant
Jared E. Christensen
Jennifer L. Tran

September 27, 2021

Via Email: records@americanoversight.org

Taylor Stoneman
American Oversight
1030 15th Street NW, Suite B255
Washington, D.C. 20005

RE: Public Records Act Request (Government Code § 6250, et. seq.)

Dear Ms. Stoneman:

This letter is in response to your request for records received on September 2, 2021, requesting communications sent by Sheriff Vernon Warnke containing several key terms.

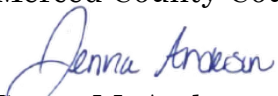
Enclosed are 78 pages of communications responsive to your request. Please note, phone numbers, dates of birth and addresses have been redacted based on the privacy interests of the affected "subject" persons. This is in accordance with California Government Code sections 6254 (c) (unwarranted invasion of personal privacy that does not shed light on the agency's performance of its duty; see also *Caldecott v. Superior Court* (2015) 243 Cal.App.4th 212), 6254 (k) (disclosure protected by state law, i.e., Cal. Const. Art 1, sec 1), and 6255 (a) (private interest in privacy clearly outweighs the public interest).

The enclosed represent all disclosable documents in the County's possession and no records are being withheld pertaining to a claim of exemption or privilege.

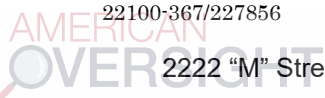
Should you have any questions with regard to the above, please do not hesitate to contact me.

Sincerely,

Forrest W. Hansen
Merced County Counsel


Jenna M. Anderson
Chief Deputy County Counsel

JMA/smp
Enclosures: As stated
22100-367/227856



From: Vern.Warnke@countyofmerced.com
To: luvncowz@aol.com
Cc: ArleneV1@aol.com; billamis@comcast.net; Christy4461@aol.com; guns8207@aol.com; lcascia1@comcast.net; m3ang2@yahoo.com; j_louro@sbcglobal.net; jvierra4190@charter.net; jerryspoolsmerced@gmail.com; jellington61@gmail.com; jmg1962@aol.com; yourstableboy@aol.com; WildThingPuller@aol.com; lteddys@sbcglobal.net; Ldairy@aol.com; kmking1@verizon.net; agnesqueen@netzero.net; miketmr@yahoo.com; mjvierra@yahoo.com; n.mord@hotmail.com; cacows@aol.com; payrollpatty1@yahoo.com; bddairy@ymail.com; Pssesq@yahoo.com; randy@eltappraisers.com; rjenavajo@gmail.com; o1coolgmchd@aol.com; vgardner81@aol.com; azevedoorganics@hotmail.com; frankalbertmachado@gmail.com
Subject: Re: Inaugural Parade. Merced County Sheriff Posse
Date: Sunday, January 17, 2021 9:56:16 PM

Go figure.

Sent from my iPhone

On Jan 17, 2021, at 4:44 PM, Laurette Locke <luvncowz@aol.com> wrote:

Now we don't have to worry about watching the Inaugural..

Sent from my iPhone

Begin forwarded message:

From: Brian Donnelly <bdonnellycasting@gmail.com>
Date: January 17, 2021 at 1:18:10 PM PST
To: Lauretta Locke <luvncowz@aol.com>
Subject: Re: Inaugural Parade. Merced County Sheriff Posse

Hello Lauretta,

We understand that due to the strict COVID protocols in California you were unable to film any new footage. Unfortunately, visually we need to represent all participants displaying COVID-friendly spacing and with masks. Due to that, we will not be able to use footage from previous performances. We had hoped to make that exception, but just got word that we cannot.

We very much appreciate your interest.

Brian Donnelly

bdonnellycasting@gmail.com

On Jan 16, 2021, at 9:26 AM, Lauretta Locke
<luvncowz@aol.com> wrote:

Hi Brian
Did we make the cut?

Laurette

Sent from my iPad

On Jan 4, 2021, at 8:09 AM, Brian Donnelly
<bdonnellycasting@gmail.com> wrote:

Received- Thank you Laurette,

To keep you in the loop, we are currently working on potentially doing a montage with several equestrian groups. Kind of in the way of here is the history of equestrians and the inauguration. Once we have approval and more information we will reach back out to you. Thank you again!

Brian Donnelly
bdonnellycasting@gmail.com

On Jan 3, 2021, at 4:31 PM,
Lauretta Locke
<lunvcowz@aol.com> wrote:

I'm the Secretary/ Treasure of the group , I take care of all our communications .

We do have a Captain voted in each year , and this year it is Michael Mendes is address is

[REDACTED]

DOB. [REDACTED]
Phone [REDACTED]
He is self-employed

Laurette Locke

[REDACTED]

DOB. [REDACTED]
Self employed

Our Sheriff of Merced County
Vern Warnke is very involved

with our group .
You can contact him at [REDACTED]
[REDACTED]
700 W 22nd Street
Merced CA 95340

We have a Facebook page
“Merced County Sheriff Posse”
You’re welcome to use
anything on it .

Please contact me for any
further assistance

Laurette
Sent from my iPad

On Jan 3, 2021, at
10:48 AM, Brian
Donnelly
<bdonnellycasting@gmail.com>
wrote:

Thank you
Laurette,

I too live in CA and
can relate to the
stay at home
orders.

I have looped
Nancy Olthoff in,
as she may have
some other ideas
with what we can
do for a video
(following the stay
at home orders) or
what we can do
editing wise with
the footage we
received.

In the meantime,
we vet all groups
and acts in the
parade. This

process usually
takes a few days.

When you have a
minute can you
send over the
following:

The leader of
the Merced County
Sheriff Posse:

The Leaders address:

DOB:

The leaders
employer:

And any websites or
social media affiliated
with the Merced
County Sheriff
Posse.

Thanks,
Brian Donnelly
bdonnellycasting@gmail.com

On Jan
2,
2021,
at
12:44
PM,
Lauretta
Locke
<luvncowz@aol.com>
wrote:

This
video is
a good
one if
you
could do
some
editing.
Sorry
couldn't
make
something
new,

here in
our part
of
California
we have
pretty
strict
stay at
home
orders .
If I can
further
assist
please
contact
me

Laurette
Locke



[Click
to
Download](#)

IMG_8213.MOV

0
bytes

Sent
from my
iPad

From: Vern.Warnke@countyofmerced.com
To: Corey.Gibson@countyofmerced.com
Cc: Michael.Domingue@countyofmerced.com; Victoria.Bonilla@countyofmerced.com; ML_SheriffAdmin@countyofmerced.com
Subject: Re: Sheriff Posse / SAR RV Trailer
Date: Friday, June 11, 2021 3:05:56 AM

Daryl called me. That was our first "Command Post" that the Posse purchased for our agency.

Sent from my iPhone

On Jun 10, 2021, at 7:13 PM, GIBSON, COREY <Corey.Gibson@countyofmerced.com> wrote:

Corey Gibson
Sent from my iPhone

Begin forwarded message:

From: "ALLEN, DARYL" <Daryl.Allen@countyofmerced.com>
Date: June 10, 2021 at 6:48:35 PM PDT
To: "GIBSON, COREY" <Corey.Gibson@countyofmerced.com>
Subject: RE: Sheriff Posse / SAR RV Trailer

Hello All,

I've done some research and discovered that this trailer belongs to Merced Co. and it was used as a command post throughout the 80's. It has been sitting in Retired deputy Joe Fort's backyard for all these years, until he passed away a few years ago. It seems it was abandoned after his death.

That is all I got for now.

From: GIBSON, COREY
Sent: Thursday, June 10, 2021 3:47 PM
To: ALLEN, DARYL <Daryl.Allen@countyofmerced.com>
Subject: FW: Sheriff Posse / SAR RV Trailer

Can you send to posse and see if they know who this belongs too?

From: GIBSON, COREY <Corey.Gibson@countyofmerced.com>
Sent: Thursday, June 10, 2021 3:30 PM
To: ML_SheriffAdmin <ML_SheriffAdmin@countyofmerced.com>; AUSTIN, MELISSA <Melissa.Austin@countyofmerced.com>
Cc: BONILLA, VICTORIA <Victoria.Bonilla@countyofmerced.com>; BASS, WILLIAM <William.Bass@countyofmerced.com>; GUZMAN, ARLENE <Arlene.Guzman@countyofmerced.com>; HODGES, JESSICA <Jessica.Hodges@countyofmerced.com>; CARDENAS, JOE <Joe.Cardenas@countyofmerced.com>; ALLEN, DARYL <Daryl.Allen@countyofmerced.com>
Subject: Sheriff Posse / SAR RV Trailer

FYI

SET was in the Beachwood area and located a Merced Sheriff Posse / SAR RV trailer fully marked. Pictures attached

Deputy Dominique was unable to locate a License Plate or VIN number on the trailer. He believes the trailer is abandoned and think homeless are preparing to move into the trailer. I am having Deputy Dominique take the trailer to evidence to see if we can determine if this belongs to a Posse/SAR volunteer. I will also have Bass de-strip the trailer before it goes anywhere else

Does anyone know anything about this trailer?....I think I saw it over 20 years ago

<image001.jpg> **Corey Gibson**
Undersheriff
Merced County Sheriff's Office
700 W. 22nd Street
Merced, CA 95340
Desk: 209 385.7562 **Mobile:** 209.564.2470
Fax: 209 385.7696 **Admin Office:** 209 385.7451
Corey.Gibson@CountyofMerced.com

This is a CONFIDENTIAL COMMUNICATION. Do not forward without permission. This e-mail and contents are privileged and confidential. See U.S.C. 2510. Disclosure is limited to the intended recipient and the sender.

From: Vern.Warnke@countyofmerced.com
To: Michael.Domingue@countyofmerced.com
Cc: Corey.Gibson@countyofmerced.com; Victoria.Bonilla@countyofmerced.com
Subject: Re: Sheriff Posse / SAR RV Trailer
Date: Friday, June 11, 2021 10:23:17 AM

Yes please

Sent from my iPhone

On Jun 11, 2021, at 7:23 AM, DOMINGUE, MICHAEL <Michael.Domingue@countyofmerced.com> wrote:

Copy. It was about to be a transient command post. The trailer does have damage to the ball receiver. This does not allow the ball/receiver to be removed. It also has two 15 gallon propane tanks that I believe are near full.

Would you like us to check on this property with code enforcement for the extent of theft/damage as it is abandoned or other sheriff's property?

From: WARNKE, VERN
Sent: Friday, June 11, 2021 3:06 AM
To: GIBSON, COREY <Corey.Gibson@countyofmerced.com>
Cc: DOMINGUE, MICHAEL <Michael.Domingue@countyofmerced.com>; BONILLA, VICTORIA <Victoria.Bonilla@countyofmerced.com>; ML_SheriffAdmin <ML_SheriffAdmin@countyofmerced.com>
Subject: Re: Sheriff Posse / SAR RV Trailer

Daryl called me. That was our first "Command Post" that the Posse purchased for our agency.

Sent from my iPhone

On Jun 10, 2021, at 7:13 PM, GIBSON, COREY <Corey.Gibson@countyofmerced.com> wrote:

Corey Gibson
Sent from my iPhone

Begin forwarded message:

From: "ALLEN, DARYL" <Daryl.Allen@countyofmerced.com>
Date: June 10, 2021 at 6:48:35 PM PDT
To: "GIBSON, COREY" <Corey.Gibson@countyofmerced.com>
Subject: RE: Sheriff Posse / SAR RV Trailer

Hello All,
I've done some research and discovered that this trailer belongs to Merced Co. and it was used as a command post throughout the 80's. It has been sitting in Retired deputy Joe Fort's backyard for all these years, until he passed away a few years ago. It seems it was abandoned after his death.

That is all I got for now.

From: GIBSON, COREY
Sent: Thursday, June 10, 2021 3:47 PM

To: ALLEN, DARYL <Daryl.Allen@countyofmerced.com>

Subject: FW: Sheriff Posse / SAR RV Trailer

Can you send to posse and see if they know who this belongs too?

From: GIBSON, COREY <Corey.Gibson@countyofmerced.com>

Sent: Thursday, June 10, 2021 3:30 PM

To: ML_SheriffAdmin <ML_SheriffAdmin@countyofmerced.com>; AUSTIN, MELISSA <Melissa.Austin@countyofmerced.com>

Cc: BONILLA, VICTORIA <Victoria.Bonilla@countyofmerced.com>; BASS, WILLIAM <William.Bass@countyofmerced.com>; GUZMAN, ARLENE <Arlene.Guzman@countyofmerced.com>; HODGES, JESSICA <Jessica.Hodges@countyofmerced.com>; CARDENAS, JOE <Joe.Cardenas@countyofmerced.com>; ALLEN, DARYL <Daryl.Allen@countyofmerced.com>

Subject: Sheriff Posse / SAR RV Trailer

FYI

SET was in the Beachwood area and located a Merced Sheriff Posse / SAR RV trailer fully marked. Pictures attached

Deputy Dominique was unable to locate a License Plate or VIN number on the trailer. He believes the trailer is abandoned and think homeless are preparing to move into the trailer. I am having Deputy Dominique take the trailer to evidence to see if we can determine if this belongs to a Posse/SAR volunteer. I will also have Bass de-strip the trailer before it goes anywhere else

Does anyone know anything about this trailer?....I think I saw it over 20 years ago

<image001.jpg>

Corey Gibson

Undersheriff

Merced County Sheriff's Office

700 W 22nd Street

Merced, CA 95340

Desk: 209 385 7562 **Mobile:** 209 564 2470

Fax: 209 385 7696 **Admin Office:** 209 385 7451

Corey.Gibson@CountyofMerced.com

This is a CONFIDENTIAL COMMUNICATION. Do not forward without permission. This e-mail and contents are privileged and confidential. See U.S.C. 2510. Disclosure is limited to the intended recipient and the sender.

From: Vern.Warnke@countyofmerced.com
To: luvncowz@aol.com
Subject: Re: Exciting News !!!
Date: Wednesday, August 4, 2021 5:56:48 AM

Hi there. At the risk of sounding ummm, confused, Rose Parade?

Sent from my iPhone

On Aug 3, 2021, at 11:00 AM, LAURETTE LOCKE <luvncowz@aol.com> wrote:

We've been accepted

Please no social media yet
ToR would like to release it first

Sent from my iPhone

On Jul 17, 2021, at 8:56 AM, LAURETTE LOCKE <luvncowz@aol.com> wrote:

See everyone tonight !

Sent from my iPad

On Jul 12, 2021, at 8:47 AM, LAURETTE LOCKE
<LUVNCOWZ@aol.com> wrote:

This Saturday night is the Sheriff's dinner... doors open at 5pm
... dinner 6pm
Merced Elks Lodge 1910 M Street Merced

MEETING NIGHT CHANGE to Wednesday July 28th

Sent from my iPad

On Jun 14, 2021, at 7:31 AM, LAURETTE LOCKE
<LUVNCOWZ@aol.com> wrote:

Sheriff Posse meeting this Wednesdayat
Vierra Shop.
Dinner 6:30 Meeting 7pm

Sent from my iPad

On Jun 1, 2021, at 12:20 PM,
LAURETTE LOCKE
<LUVNCOWZ@aol.com> wrote:

A Silver yeti drinking cup with a screw lid was left at Frank's . He will bring to next meeting .
Special Thank you to the Machado family for hosting . It was a fun weekend for all!

Sent from my iPad

On May 26, 2021, at 3:57 PM, LAURETTE LOCKE
<LUVNCOWZ@aol.com>
wrote:

At Frank's we planning dinner at 630 , on Friday night anyone can come ... not just the campers and trail riders.. hope to see you there for a fun weekend

Sent from my iPhone

On May 24,
2021, at 10:35 AM, Laurette Locke
<Luvncowz@aol.com>
wrote:

This weekend we are going to be camping and trail riding at Frank's Ranch. You are welcome to camp there all weekend . Starting Friday evening we will be

BBQing ,
Saturday
morning light
breakfast and
trail ride
planned at
9am. Saturday
evening
BBQing again
. And if we're
lucky Frank
will take us
out on a moon
lit ride in is
jeep.
Please give me
a head count
so we can try
to plan
accordingly.

Thanks
Laurette

Sent from my
iPad

On
May
5,
2021,
at
5:42
PM,
LAURETTE
LOCKE
<LUVNCOWZ@aol.com>
wrote:

From
our
friend
Delray..

Sent
from
my
iPhone

Begin
forwarded

message:

From:
"SHELTON,
DELRAY"
<Delray.Shelton@countyofmerced.com>
Date:
May
5,
2021
at
7:00:51
PM
EDT
To:
luvncowz@aol.com
Subject:
**Mule
Deer/
Sheriff's
Office
Fundraiser
Dinner**

Good
Day,
I
hope
you'll
are
doing
well.
You're
often
in
our
thoughts
and
memorable
conversations.
Attached
is
a
flyer
for
our

upcoming
fundraiser,
we
thought
some
of
the
Posse
may
be
interested.

Please
let
me
know
if
you
have
any
questions.

In
addition,
please
let
us
know
when
you'll
have
a
meeting.

We
would
love
to
stop
over
and
say
hello.

Cheers,
D

Delray
C.
Shelton
Lieutenant
Administrative
Services
Merced
County
Sheriff's
Office
700
W.
22nd
St.
Merced,
Ca
95348
209-
385-
7608
ext.
4091
-
Office
209-
385-
7445
-
24
Hour
Dispatch
Delray.Shelton@CountyofMerced.com
-
Email
<http://www.mercedsheriff.com>
-
Website
<http://www.facebook.com/MercedSheriffOffice>
-
Facebook

<2021
Xmas
In
July
Dinner
Flier.pdf>

From: Vern.Warnke@countyofmerced.com
To: luvncowz@aol.com
Subject: Re: Exciting News !!!
Date: Wednesday, August 4, 2021 10:50:30 AM

Thank you!!

Sent from my iPhone

On Aug 4, 2021, at 9:16 AM, LAURETTE LOCKE <luvncowz@aol.com> wrote:

More Good News
Our Lady of Miracles Festa has invited the posse to participate in their bullfights on September 13th

Sent from my iPhone

On Aug 3, 2021, at 11:00 AM, LAURETTE LOCKE <luvncowz@aol.com> wrote:

We've been accepted

Please no social media yet
ToR would like to release it first

Sent from my iPhone

On Jul 17, 2021, at 8:56 AM, LAURETTE LOCKE
<luvncowz@aol.com> wrote:

See everyone tonight !

Sent from my iPad

On Jul 12, 2021, at 8:47 AM, LAURETTE LOCKE
<LUVNCOWZ@aol.com> wrote:

This Saturday night is the Sheriff's dinner... doors open at
5pm ... dinner 6pm
Merced Elks Lodge 1910 M Street Merced

MEETING NIGHT CHANGE to Wednesday July 28th

Sent from my iPad

On Jun 14, 2021, at 7:31 AM, LAURETTE
LOCKE <LUVNCOWZ@aol.com> wrote:

Sheriff Posse meeting this Wednesdayat

Vierra Shop.
Dinner 6:30 Meeting 7pm

Sent from my iPad

On Jun 1, 2021, at 12:20 PM,
LAURETTE LOCKE
<LUVNCOWZ@aol.com>
wrote:

A Silver yeti drinking cup with a
screw lid was left at Frank's . He
will bring to next meeting .
Special Thank you to the
Machado family for hosting . It
was a fun weekend for all!

Sent from my iPad

On May 26, 2021, at
3:57 PM,
LAURETTE
LOCKE
<LUVNCOWZ@aol.com>
wrote:

At Frank's we
planning dinner at
630 , on Friday night
anyone can come ...
not just the campers
and trail riders..
hope to see you there
for a fun weekend

Sent from my
iPhone

On May
24,
2021, at
10:35
AM,
Laurette
Locke
<Luvncowz@aol.com>
wrote:

This
weekend

we are
going to
be
camping
and trail
riding at
Frank's
Ranch.
You are
welcome
to camp
there all
weekend

.
Starting
Friday
evening
we will
be
BBQing

,
Saturday
morning
light
breakfast
and trail
ride
planned
at 9am.

Saturday
evening
BBQing
again .

And if
we're
lucky
Frank
will take
us out
on a
moon lit
ride in is
jeep.
Please
give me
a head
count so
we can
try to
plan
accordingly.

Thanks
Laurette

Sent

from my
iPad

On
May
5,
2021,
at
5:42
PM,
LAURETTE
LOCKE
<LUVNCOWZ@aol.com>
wrote:

From
our
friend
Delray..

Sent
from
my
iPhone

Begin
forwarded
message:

From:
"SHELTON,
DELRAY"
<Delray.Shelton@countyofmerced.com>
Date:
May
5,
2021
at
7:00:51
PM
EDT
To:
luvncowz@aol.com
Subject:
**Mule
Deer/
Sheriff's
Office
Fundraiser
Dinner**

Good

Day,
I
hope
you'll
are
doing
well.
You're
often
in
our
thoughts
and
memorable
conversations.
Attached
is
a
flyer
for
our
upcoming
fundraiser,
we
thought
some
of
the
Posse
may
be
interested.
Please
let
me
know
if
you
have
any
questions.
In
addition,
please
let
us
know

when
you'll
have
a
meeting.
We
would
love
to
stop
over
and
say
hello.

Cheers,
D

Delray
C.
Shelton
Lieutenant
Administrative
Services
Merced
County
Sheriff's
Office
700
W.
22nd
St.
Merced,
Ca
95348
209-
385-
7608
ext.
4091
-
Office
209-
385-
7445
-

24

Hour

Dispatch

Delray.Shelton@CountyofMerced.com

-

Email

<http://www.mercedsheriff.com>

-

Website

<http://www.facebook.com/MercedSheriffOffice>

-

Facebook

<2021

Xmas

In

July

Dinner

Flier.pdf>

From: Vern.Warnke@countyofmerced.com
To: shadmin@countyofmerced.com
Subject: Fwd: GRIEVANCE 69, CHAPTER 2, NEW CALIFORNIA STATE AUGUST 17, 2021
Date: Wednesday, August 18, 2021 4:35:52 AM
Attachments: [Grievance 69, Ch 2 State of New California.pdf](#)

FYI, I chatted with two men this past Saturday at a function we were attending. This is the group they belong to. Please remind me to chat about this at staff on Monday

Sent from my iPhone

Begin forwarded message:

From: kjm83@juno.com
Date: August 17, 2021 at 10:19:16 AM PDT
To: "WARNKE, VERN" <Vern.Warnke@countyofmerced.com>
Subject: Fw: GRIEVANCE 69, CHAPTER 2, NEW CALIFORNIA STATE AUGUST 17, 2021

Sheriff Vern Warnke:

Please read and share this New California State Grievance #69 with the Deputies of Merced County. We are standing with you for Life, Liberty and the Pursuit of Happiness.

Thank You for your service to us in Merced County,
Ken Eklund - New California State - Associate

Please note: forwarded message attached

From: Robert Preston <paul@newcaliforniastate.com>
To: undisclosed-recipients;;
Subject: GRIEVANCE 69, CHAPTER 2, NEW CALIFORNIA STATE AUGUST 17, 2021
Date: Tue, 17 Aug 2021 04:47:53 -0700

State of New California

NOTICE

TO ALL

CALIFORNIANS!

Chapter II

Grievance

69

Choose to be safer online.

Opt-in to Cyber Safety with NortonLifeLock.

Get Norton 360 with LifeLock starting at \$9.95/month.*

[NetZero.com/NortonLifeLock](https://www.netzero.com/nortonlifelock)

State of New

California

NOTICE

**TO ALL
CALIFORNIANS!**

Chapter II

Grievance

69

State of New California

NOTICE

TO ALL CALIFORNIANS!

Chapter II

Grievance 69

August 17, 2021

New California is a new state in development exercising its Constitutional Right to form from the State of California. The process to form New California is authorized and codified in Article IV Sections 3 & 4 of the United States Constitution.

Statement of Intent

The Citizens of New California have decided to remedy the abuse of power by the government of California by exercising their right to form a new state provided in United States Constitution Article IV Sections 3 and Section 4.

“We are determined to live under a State Government in the United States of America and under the Constitution of the United States.”

New California Declaration of Independence of January 15, 2018 states:

“Whenever any Form of Government becomes destructive it is the Right of the People to alter or to abolish it, and to institute new Government.

*When a long train of abuses and acts to seize and hold the people’s power without legal authority and pursuing invariably the same Object that clearly demonstrates a design to reduce them under absolute Despotism, it is their **Right, it is their Duty**, to throw off such Government, and to provide new Guards for their future security.*

Preamble of the New California State Constitution states:

We, the representatives of the undersigned Counties within the State of California, do acknowledge and humbly invoke the favor of Almighty God for continued civil and religious liberty to ourselves and our posterity....

First Amendment of the United States Constitution states:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Fourth Amendment of the United States Constitution states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Counties of New California State brought forward 95 Chapter I Grievances between January 2018 and November 2019. On April 28, 2020 New California State will issue 95 additional Chapter II Grievances to be announced in public on Tuesdays at 11:00 am.



New California State is a new state in development forming from the State of California. New California State is exercising its God Given Rights as declared in the 1776 United States Declaration of Independence and as ratified in the 1789 United States Constitution under Article IV Section 3.

State of New California

Grievance 69

Declaration of Grievance Statement of Facts

The people of California are suffering from a tyrannical state government which fails to provide a republican form of governance, enables and supports across its southern border the invasion of the United States of America by illegal foreign nationals and protects vicious criminals who commit outrageous acts of violence upon the Citizens of America all caused by a government of and for a mono-party system lead by a tyrannical dictator who openly defies federal law.

California State Government Violates the Following: United States Constitution Article IV Section 4

"The United States shall guarantee to every state in this union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence."

United States Constitution Article VI

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

First Amendment, United States Constitution

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Fourteenth Amendment, United States Constitution

Section 3. *No Person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.*

ORDER OF THE DAY

THE FALL OF

CALIFORNIA

The **Fall of Saigon**, was the capture of Saigon, the capital of South Vietnam, by the People's Army of Vietnam (PAVN) and the Viet Cong on April 30, 1975. The event marked the end of the Vietnam War and the start of a transition period to the formal reunification of Vietnam into the Socialist Republic of Vietnam.

The rapidity with which the South Vietnamese positions collapsed in 1975 was surprising to most American and South Vietnamese observers, and probably to the North Vietnamese and their allies as well. For instance, a memo prepared by the Central Intelligence Agency (CIA) and U.S. Army Intelligence, and published on 5 March, indicated that South Vietnam could hold out through the current dry season at least until 1976. These predictions proved to be grievously in error.

In **Kabul, Afghanistan** on August 15, 2021 heavily armed Taliban fighters fanned out across the capital as the Taliban swept into Afghanistan's capital after the government collapsed and the embattled president joined an exodus of his fellow citizens and foreigners, signaling the end of a costly two-decade U.S. campaign.

The final collapse of the 20-year western mission to Afghanistan took only a single day as Taliban gunmen entered the capital the President Ashraf Ghani fled the country and then America abandoned its embassy in panic.

Even the militants themselves were surprised by the speed of the takeover, co-founder Mullah Abdul Ghani Baradar admitted in a video statement in the evening. Now the group faces the challenge of ruling. They are expected to proclaim a new Islamic Emirate of Afghanistan.

In the months ahead there will be headlines around the world that will declare the fall of the 31st state in the Union of States called the United States of America. **California's fall** will not be dissimilar to the fall of Saigon or Kabul. Its fall will also be immediate, unexpected and occur in one day.

What will be different are the New Californians who on that day will be standing their ground. There will no *fleeing*, no *retreat*, no *leaving for another state*, no *complying to the edicts of a dictator*, there will be no *kneeling*. There will only be the **resolve** of the New Californians to insure the sovereignty of the United States with the formation of the 51st state thus creating a 'More Perfect' **Union of States**.



An architecture of despotism and absolute tyranny and control over the people has been erected in California, by a dictatorship of a runaway governor and unelected officials, with the intent to deprive the people of life, liberty, and the pursuit of happiness.

NEW CALIFORNIA STATE is the answer to limiting the runaway power of a corrupt and irredeemable bureaucracy of tyranny, surveillance, oppression, and control by the moneyed interests of supranational corporations, cartels and Communist China.

NEW CALIFORNIANS STAND YOUR GROUND!

Insurrection

The government of California, the current socialist governor/dictator and mono-party system along with local officials are following a coordinated design with the intent to actively engage in “Acts of Insurrection” against the U.S. Constitution.

The **Insurrection Act of 1807** and the *Emergency Economic Powers Act* are United States federal laws that govern the ability of the President of the United States to deploy military troops within the United States to put down lawlessness insurrection, and rebellion.

Acts of Secession

The California government in conjunction with the socialist state executive, instituted wherever the current socialist governor/dictator has usurped power has actively engaged in “Acts of Secession” and have created a reign of terror on United States Citizens living in California with the intent to **secede** from the United States of America to thus destroy the very **Union of States** which secures our **Liberty and Freedom**.

Abdication of Authority

Betrayal by the sitting socialist governor/dictator of California the mono-party legislature and local elected officials is evidence of “Abdication of their Responsibilities of Authority and Sovereignty” over the Citizens of the United States living in California State.

Prayer

The Citizens of New California State Pray for the Military to exercise its authority under continuity of government and the Insurrection Act of 1807 to initiate the Military’s use of Martial Law and create the restored government of California as requested by New California State to end the tyranny being foisted upon the United States of America.

This concludes these proceedings.

newcaliforniastate.com or ncs51.com (877) 828 2753

From: Vern.Warne@countyofmerced.com
To: shadmin@countyofmerced.com
Subject: Fwd: oathkeepers.....we all need to keep our oaths to uphold our Constitution
Date: Wednesday, December 23, 2020 9:07:16 AM

FYI. I receive emails from this group regularly. Haven't seen anything like this before. Dang

Sent from my iPhone

Begin forwarded message:

From: TheRightthing2do <TheRightthing2do@protonmail.com>
Date: December 22, 2020 at 11:40:51 PM PST
Subject: oathkeepers.....we all need to keep our oaths to uphold our Constitution
Reply-To: TheRightthing2do <TheRightthing2do@protonmail.com>

Oath Keepers militia leader Stewart Rhodes said that he has armed men on standby outside of Washington, D.C., to supposedly prevent the 2020 presidential election from being stolen from President Donald Trump. Echoing elements of the QAnon conspiracy theory during an appearance on far-right conspiracy theorist Alex Jones' program, Rhodes said the only way to prevent his men from engaging in a "bloody fight" would be Trump declassifying information to supposedly expose pedophiles in the "deep state" and allow the president to stay in power.

Rhodes also indicated his militia will be involved in a rally to support Trump planned for this weekend in the nation's capital.

Rhodes' Oath Keepers militia, which comprises "former law enforcement officials and military veterans," is [described](#) by the Southern Poverty Law Center as "one of the largest radical antigovernment groups in the U.S. today." But, as Rhodes [recent public comments](#) have made clear, the organization's purpose has shifted from opposing the government to instead act as a pro-Trump vigilante group that is willing to violently support Trump's unjust attempts to stay in power after losing the 2020 election.

Rhodes joined Jones and Infowars host Owen Shroyer during the November 10 broadcast of *The Alex Jones Show*. Rhodes claimed that, in order to stop the election from being stolen from him, Trump needs to declassify information exposing members of the "deep state" so that Americans will "all know exactly who the pedophiles are." According to Rhodes, judges -- including Supreme Court Justice John Roberts -- politicians, and members of the legal community, academia, and media are all part of the "deep state." These comments echoed a [central tenet](#) of the QAnon conspiracy theory, which claims that Trump is engaged in a battle with a cabal of pedophile elites.

From: Vern.Warnke@countyofmerced.com
To: Sandra.Forte@countyofmerced.com
Subject: FW: FOIA Request
Date: Wednesday, March 10, 2021 7:54:23 AM

Hi Sandra

I'm not sure what this person wants. My cell [REDACTED] Vern

-----Original Message-----

From: Natalie Li <n.li@politicalresearch.org>
Sent: Tuesday, March 9, 2021 2:31 PM
To: WARNKE, VERN <Vern.Warnke@countyofmerced.com>
Subject: FOIA Request

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records: All emails and corresponding attachments sent and received by Sheriff Vernon Warnke, between October 1, 2020 and the date this request is processed, containing any of the four following terms: 1) "cspoa.org"; 2) "Mack"; 3) "fairus.org"; and 4) "287(g)".

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request be filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,
Natalie

From: Vern.Warnke@countyofmerced.com
To: shadmin@countyofmerced.com
Subject: FW: All Sheriffs News and Information
Date: Monday, March 22, 2021 7:36:56 AM
Attachments: [SAFLEO Web Event Flyer 3_25.pdf](#)
[NFBW-Flyer_V12.pdf](#)
[CSAC-CSSA Ltr to DOJ re SCAAP Changes.pdf](#)

Take a look at #2.

From: Carmen Green <cgreen@calsheriffs.org>
Sent: Friday, March 19, 2021 5:03 PM
To: Carmen Green <cgreen@calsheriffs.org>
Subject: All Sheriffs News and Information

All Sheriffs News and Information – We Have The Following 10 Items:

- 1) CSSA is Seeking for a Sheriff to Participate on the Governor’s Public Safety Officer Medal of Valor Review Board.**
- 2) CPRA Request for Release of Peace Officer Information. IMMEDIATE ACTION REQUIRED**
- 3) CSSA and CSAC Joint SCAAP Letter.**
- 4) Three in a row? Southern California’s eyes are back on Newsom as attorney general pick looms.**
- 5) California Lawmakers Push Bill To Decertify Police, End Qualified Immunity.**
- 6) Becerra quietly admits failure of gun registration website, halts California investigations.**
- 7) Reminder: Join AJA and Save \$45 on Conference Registration scheduled for April 12-15, 2021 | Virtual.**
- 8) REGISTER NOW - 46th ANNUAL FMHAC CONFERENCE.**
- 9) BJA National Suicide Awareness for Law Enforcement Officers (SAFLEO) Program Web event March 25th at 8:00 AM PT.**
- 10) 2021 National Faith & Blue Weekend (October 8-11, 2021).**

1) CSSA is Seeking for a Sheriff to Participate on the Governor’s Public Safety Officer Medal of Valor Review Board. The Governor’s Public Safety Officer Medal of Valor Review Board is seeking a CSSA representative to participate on the their board. The purpose of the Medal of Valor Review Board is to solicit and review applications for, and make recommendations to the Attorney General regarding, the Public Safety Medal of Valor. Members shall serve without compensation or reimbursement for travel, per diem, or other expenses, and they shall minimize travel and expenses to the greatest extent possible. Any cost incurred by a member as a result of serving as a member shall not be paid by the state.

The board shall review the applications for the medal to determine which applicants, if any, to recommend to the Attorney General. The board may hear from witnesses and consider whatever information it considers advisable to carry out its duties. The board may secure directly from any state department, or other state or local agency,

information as the board considers necessary to carry out its duties. Upon the request of the board, the head of a department or agency may furnish information to the board. The board shall not disclose any information that may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

Please notify Carmen Green at cgreen@calsheriffs.org by Friday, April 16th if you are interested.

2) CPRA Request for Release of Peace Officer Information. IMMEDIATE ACTION REQUIRED Date: March 17, 2021 To: Chiefs, Sheriffs, and Directors cc: EDI Operators

The Commission on Peace Officer Standards and Training (POST) has received a California Public Records Act (CPRA) request from Alex Emslie at KQED, The California Reporting Project, requesting information for all active and former peace officers, specifically:

- Officer ID • POST ID • Officer Name • Agency • Agency number • Employment start date • Employment end date • Rank • Appointment status

Background: On August 27, 2007, the California Supreme Court ruled that certain information in the Peace Officer Database, maintained by POST, is public information subject to release in response to a CPRA request pursuant to California Government Code sections 6250 et. seq. (See Commission Peace Officer Standards and Training v. Superior Court (2007) 42 Cal. 4th 278 [names of peace officers, their employing departments and dates of employment are public records subject to disclosure]. Hereafter “the POST decision.”) [Read the full text of the court's decision.](#)

Current Request: Prior to providing responsive records, POST will provide all affected departments the opportunity to claim an exemption of individual officer's names from release in response to this request through the EDI system if the Department believes that the disclosure of the requested information is exempt under the CPRA and the POST decision. Current agency rosters for each department will be uploaded to the EDI system.

It is recommended that each department designate only one EDI operator to process the department's response back to POST. Once you, the department head, have decided which, if any, names are to be claimed as exempt from release, the designated EDI operator must use the CPRA function in EDI to check the names in order to claim the exemption and click “Save.” If no names are to be excluded, the EDI operator will click the “Do Not Withhold” button to verify they have received this notice. POST will then generate the reports, without the excluded names, and provide the remaining information requested.

Departments wishing to withhold any names from the response to the CPRA request should contact their legal advisor to determine whether the exemption is legally justified under the California Public Records Act. POST is not the custodian of, nor would it normally be aware of, specific factual information that would justify a department's decision that a particular officer's name should be exempt from disclosure. The officer's employer is the only entity that would be able, in the event of a challenge, to fully support the claimed exemption by providing the factual and legal

justifications for withholding a particular name from disclosure. For this reason, if the excluded names are challenged in legal proceedings, the department that claimed the exemption will become involved in the legal proceeding in order to justify the exemption. Departments should not request exclusion of any particular name unless a proper statutory basis for the particular exemption has been identified, and unless the Department is willing to fully participate in any litigation in order to justify each exemption, if necessary. In making a request for exclusion, the Department is affirming that: 1) A proper statutory basis for the exemption exists under the California Public Records Act, and 2) Should the exemption be challenged, the Department will fully cooperate with POST in any actual or threatened litigation arising out of the Department's exemption request, and that it will take all steps deemed necessary by POST in order to justify the exemption in response to any such challenge.

Alternatively, a Department may instead seek appropriate relief from any court of competent jurisdiction prior to the date of POST's response to the CPRA request. Please notify the below listed individuals immediately if any such order is being sought.

To allow departments sufficient time to respond, it is requested that EDI operators should transmit the requested information to POST, or alternatively, to serve POST with a court order restraining the production of the information, no later than **5 P.M. on Thursday, March 31st**. If departments do not respond to this request by that date, it will be assumed there are no names to be excluded.

The requested reports are scheduled for release to Alex Emslie, from KQED, no later than April 14th. Questions regarding EDI access may be directed to the POST EDI help desk at (877) 275-5872. Questions regarding this CPRA request may be directed to CPRA@post.ca.gov or SCR Bureau Chief John Lowden at (916) 227-4832.

3) CSSA and CSAC Joint SCAAP Letter. On behalf of the California State Association of Counties (CSAC) and the California State Sheriffs' Association (CSSA), we write to urge the Department of Justice to rescind new State Criminal Alien Assistance Program (SCAAP) requirements that are slated to take effect as part of the program's FY 2021 application cycle. If the program modifications are implemented, California's counties will likely be unable to seek Federal reimbursement for the costs of incarcerating undocumented criminals. Attached you will find the letter.

4) Three in a row? Southern California's eyes are back on Newsom as attorney general pick looms -- Familiar local names have emerged as contenders for the top law enforcement job in the state. But after two SoCal picks, the pendulum could swing back to NorCal. **Ryan Carter** in the [Orange County Register](#) -- 3/19/21

5) California Lawmakers Push Bill To Decertify Police, End Qualified Immunity - California lawmakers are eyeing new police reforms after having "mild successes" following the police killing of George Floyd and nationwide calls for increased police accountability last year. Among the proposals is a bill to create a process to strip badges from police officers who commit certain crimes or misconduct. A similar measure failed to pass last year. **Nicole Nixon** [Capital Public Radio](#) -- 3/19/21

6) Becerra quietly admits failure of gun registration website, halts California investigations -- California Attorney General Xavier Becerra's office quietly signed a settlement agreement in federal court admitting his agency's gun-registration website was so poorly designed that potentially thousands of Californians were unable to register their assault weapons and comply with state law. **Ryan Sabalow, Hannah Wiley, and Jason Pohl** in the [Sacramento Bee](#) -- 3/19/21

7) Reminder: Join AJA and Save \$45 on Conference Registration scheduled for April 12-15, 2021 | Virtual. Did you know that AJA members receive discounted rates for our conference and jail expo? **Join AJA and save \$45** when you register to join us next month for four days of virtual workshops and our online exhibit hall. Click on link for full details. [AJA \(americanjail.org\)](#)

8) REGISTER NOW - 46th ANNUAL FMHAC CONFERENCE. The 46th Annual FMHAC Annual Conference is going to be even bigger, and better than ever before. This year's VIRTUAL Conference will be delivered over multiple weeks. The LIVE conference will kick off on March 31, 2021 through April 2, 2021. The ON-DEMAND recordings will be delivered for an additional 60 days, lasting through June 2, 2021 allowing you to "drop in" virtually over multiple weeks while continuing to stay safe. For more details, click on link: [Annual Conference - FMHAC](#)

9) BJA National Suicide Awareness for Law Enforcement Officers (SAFLEO) Program Web event March 25th at 8:00 AM PT. This Web event will feature a virtual discussion with an officer involved in a traumatic event and how their supervisor responded to help this officer receive the necessary support to manage the negative impact associated with that traumatic experience. It is okay not to be okay. For all officers, it is normal human behavior to be affected by traumatic events and experiences. An officer who chooses vulnerability and asks for help processing trauma is courageous. Click on attached for more information and to register.

10) 2021 National Faith & Blue Weekend (October 8-11, 2021). National Faith & Blue Weekend (NFBW) is a collaborative initiative that builds bridges and breaks down biases through activities and outreach amongst law enforcement professionals and the communities they serve. Click on attached for full details,



Thank you – Carmen Green, Executive Director

California State Sheriffs' Association
p. 916.375.8000 cgreen@calsheriffs.org
www.calsheriffs.org

"To support the role of sheriff as the chief law enforcement officer in each California County and to speak as a collective voice on matters of public safety."

PRIVILEGED AND CONFIDENTIAL COMMUNICATION - This electronic transmission, and any documents attached hereto, may contain confidential and/or

legally privileged information. The information is intended only for use by the recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of information received in error is strictly prohibited.



March 1, 2021

Mr. Monty Wilkinson
Acting Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Acting Attorney General Wilkinson:

On behalf of the California State Association of Counties (CSAC) and the California State Sheriffs' Association (CSSA), we write to urge the Department of Justice to rescind new State Criminal Alien Assistance Program (SCAAP) requirements that are slated to take effect as part of the program's FY 2021 application cycle. If the program modifications are implemented, California's counties will likely be unable to seek Federal reimbursement for the costs of incarcerating undocumented criminals.

As you're aware, President Biden's January 20, 2021 Executive Order on the Revision of Civil Immigration Enforcement Policies and Priorities revokes Executive Order 13768 of January 25, 2017 (Enhancing Public Safety in the Interior of the United States). The new directive requires the Department of Justice and other relevant Federal agencies to review any agency actions that were developed pursuant to EO 13768 and to take appropriate action – including issuing revised guidance – in the interest of advancing the immigration policies set forth in the January 20 Executive Order.

On May 22, 2017, then-Attorney General Jeff Sessions issued a Memorandum on implementation of EO 13768 that cited general statutory authority that “may authorize the Department to tailor grants or to impose additional conditions on grantees to advance the Department's law enforcement priorities.”¹ It appears that this directive served as the basis for the Department to issue revised guidelines governing the administration of the SCAAP program.

Pursuant to the guidelines, and beginning with the FY 2021 SCAAP application cycle, the Department will require state and local law enforcement agencies to collect and report to the Federal government an incarcerated individual's home and work address and anticipated

¹ Office of the Attorney General, Memorandum for All Department Grant-Making Components, Implementation of EO 13768, Enhancing Public Safety in the Interior of the United States, [AG Memo - EO 13768 - May 22, 2017](#)

release date, if known, within four days of the individual being taken into custody. The new rules will require agencies to submit the information to the Department of Homeland Security in the form of an “Immigration Alien Query” (IAQ). If an agency fails to submit the requisite information as part of an IAQ, it will not be eligible to seek SCAAP reimbursement.

As you’re likely aware, California State law (SB 54) expressly prohibits state and local law enforcement agencies from furnishing to federal immigration authorities certain personal information, including an individual’s home or work address, unless the information is available to the public. Accordingly, California jurisdictions will be unable to comply with the aforementioned SCAAP IAQ requirements and will be precluded from seeking reimbursement for the costs of housing undocumented incarcerated individuals beginning in FY 2021.

Our associations believe that the aforementioned changes to the SCAAP program are unnecessary. Moreover, current SCAAP application procedures, which have been in place for many years and which already require program applicants to submit detailed information to the Department of Justice, have proven to be sufficient for purposes of determining the immigration status of inmates in State prison systems and local jails. Accordingly, and as the Department continues to review policies that were implemented under the previous administration, including those that were developed pursuant to EO 13768, we strongly urge you to withdraw the SCAAP program’s IAQ requirement.

Similarly, we urge you to rescind the SCAAP program modifications that are slated to be implemented beginning with the FY 2020 application cycle.² Although it appears that California’s counties are in full compliance with the new requirements, including the condition that each jurisdiction’s chief legal officer certify compliance with the information-sharing requirements of 8 U.S.C. § 1373, these conditions – some of which have been the subject of considerable litigation – are arbitrary, overly broad, and do nothing to further the objectives of the SCAAP program.

Thank you for your consideration of this important request.

Sincerely,



Graham Knaus
CSAC Executive Director



Carmen Green
CSSA Executive Director

cc: California Congressional Delegation

² [State Criminal Alien Assistance Program - FY 2020 Application](#)

NATIONAL

Faith & Blue Weekend

October 8 -11, 2021

An initiative of MovementForward, Inc. and One Congregation One Precinct (OneCOP)



WHAT

National Faith & Blue Weekend (NFBW) is a collaborative initiative that builds bridges and breaks down biases through activities and outreach amongst law enforcement professionals and the communities they serve.

WHY

National Faith & Blue Weekend is based on the premise that strong communities are built on mutual respect, trust and understanding. Law enforcement entities and faith-based groups are key pillars of a local community, and when they work together, neighborhoods thrive.

HOW

National Faith & Blue Weekend is an expansion of the One Congregation One Precinct initiative (OneCOP), a program of MovementForward, Inc. which is a bridge-building, solutions-focused human & civil rights organization based in Atlanta, Georgia. The OneCOP initiative pairs officers at the beat or precinct level with local houses of worship. Similarly, NFBW is facilitated by law enforcement entities, faith-based organizations and the community.

WHO

National Faith & Blue Weekend organizers represent every major national law enforcement group and faith tradition in the United States of America. The effort is being co-convened by MovementForward, Inc.'s OneCOP initiative and the USDOJ Office of Community Oriented Policing Services (COPS Office) and is the most collaborative police-community engagement project in recent history. National Faith & Blue Weekend is sponsored by FirstNet Built with AT&T along with the Motorola Solutions Foundation and Wrap Technologies.

Getting Involved

To find out more, please go to:

www.faithandblue.org

- Read about National Faith & Blue Weekend.
- Submit a "Host An Event" interest form so that a staff member can help you get started.
- Download a toolkit.

Organizing an Event

After the NFBW "Host An Event" interest form is submitted, a staff member will follow-up with the interested party to assess specific interests regarding your community event idea, collect additional information and provide materials such as the toolkit to help get started organizing the event.

Creativity is key – no one knows a community or understands the unique qualities of a neighborhood better than those who live in it!

Impact and Reach

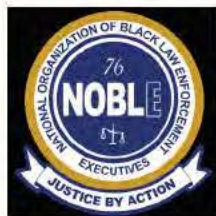
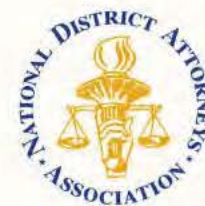
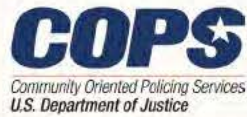
Sixty-five million Americans attend weekly gatherings and services at more than 350,000 houses of worship nationwide.

The depth and breadth of influence held by houses of worship present an unrivaled, unique and powerful gateway to the hearts of local communities where there is shared, mutual interests in realizing effective police-community engagement.



Partners

Below is a list of law enforcement-related entities that partnered to organize the inaugural National Faith & Blue Weekend, October 9-12, 2020.



Enhancing Resilience by Embracing Courageous Vulnerability

A NO-COST VIRTUAL WEB EVENT



JOIN US ON THURSDAY, MARCH 25, 2021, at 11:00 A.M., E.T.

Save Your Spot

It is okay not to be okay. For all officers, it is normal human behavior to be affected by traumatic events and experiences. An officer who chooses vulnerability and asks for help processing trauma is courageous.

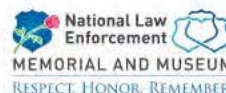
This Web event will feature a virtual discussion with an officer involved in a traumatic event and how their supervisor responded to help this officer receive the necessary support to manage the negative impact associated with that traumatic experience.

Learn actions that you and your agency can take to help your own in receiving needed support to manage the complex impact of a traumatic experience.



Who should attend: This Web event is designed for all law enforcement officers.

This critically important program is supported by these strategic partners:



This project was supported by Grant No. 2018-VI-BX-K003 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the U.S. Department of Justice's Office of Justice Programs which also includes the Bureau of Justice Statistics the National Institute of Justice the Office of Juvenile Justice and Delinquency Prevention the Office for Victims of Crime and the Office of Sex Offender Sentencing Monitoring Apprehending Registering and Tracking (SMART). Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

From: Vern.Warnke@countyofmerced.com
To: ML_SheriffAdmin@countyofmerced.com
Subject: Fwd: State changes reopening criteria — again
Date: Thursday, March 4, 2021 7:30:57 AM

Do any of you get these email threads?

Sent from my iPhone

Begin forwarded message:

From: "Emily Hoeven, CalMatters" <emily@calmatters.org>
Date: March 4, 2021 at 6:03:59 AM PST
To: "WARNKE, VERN" <Vern.Warnke@countyofmerced.com>
Subject: **State changes reopening criteria — again**
Reply-To: "Emily Hoeven, CalMatters" <emily@calmatters.org>

Get informed and subscribe

View email in your browser



WhatMatters

YOUR GUIDE TO
CALIFORNIA POLICY AND
POLITICS BY
EMILY HOEVEN

Presented by Mattress Recycling Council and ACEC California

Good morning, California. It's Thursday, March 4.

Vaccines tied to case rates



People wait in line at a Planet Fitness in Anaheim following the re-opening of a handful of franchises as “essential health care” businesses on Oct. 8, 2020. Photo by Tash Kimmell for CalMatters

Gov. Gavin Newsom’s administration announced changes late Wednesday night to California’s tiered reopening system that will make it easier for businesses to reopen and increase pressure on school districts to bring kids back to campus.

Under the new system, California will earmark 40% of its COVID-19 vaccine doses for low-income communities spread out across [400 of the state’s ZIP codes](#), largely in Los Angeles County, the Inland Empire and the Central Valley. Once 2 million of the roughly 8 million eligible residents in those communities are vaccinated, the state will adjust the coronavirus case rate needed for counties to move from the most restrictive purple tier to the red tier. Instead of 7 cases per 100,000, it will be raised to 10 cases per 100,000 — easing the way

for restaurants, gyms, museums, movie theaters and other businesses to reopen indoors at limited capacity, CalMatters' Barbara Feder Ostrov, Ana Ibarra, Lauren Hepler and I report.

Once 4 million residents are vaccinated in those low-income communities — defined as those with low scores on the state's [Healthy Places Index](#), which measures criteria including income, education, park access, air pollution and housing — the state will adjust the threshold to enter the orange and yellow tiers.

Administration officials said that 1.6 million doses have already been administered in those low-income communities, and it could take around two weeks to reach the 2 million mark necessary to adjust case rates. Currently, 87% of the state's population lives in [purple-tier counties](#).

Officials said they also may change the sector-by-sector business reopening guidelines in the coming weeks. Recent lawsuits by restaurateurs, salon owners and craft brewers have [alleged unfair treatment](#).

The new vaccine strategy follows weeks of Newsom's emphasis on developing an "equity frame." African American and Latino Californians have been the hardest hit throughout the pandemic, with the highest levels of COVID-19 hospitalizations and deaths. They've also been vaccinated at lower rates.

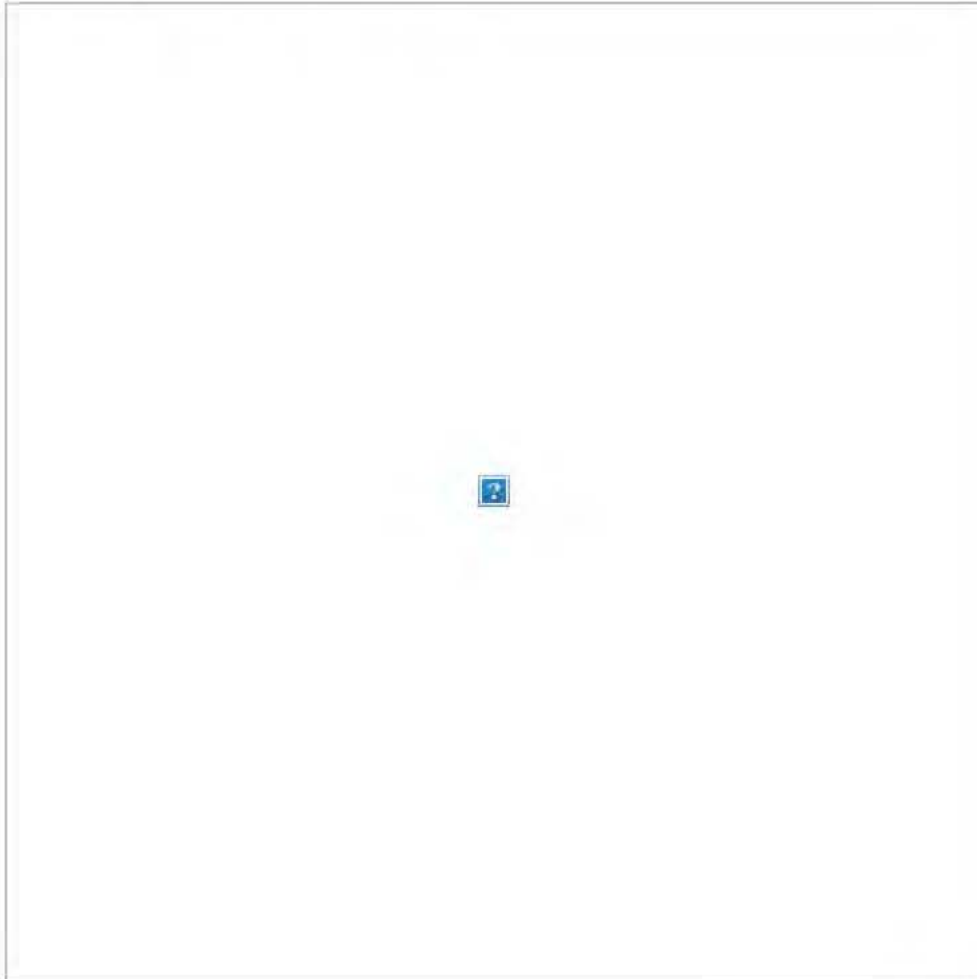
The announcement also came hours before [the one-year anniversary](#) of Newsom declaring a state of emergency due to COVID-19. With the governor facing a [recall](#) all but certain to qualify for the ballot, his challenge is to move the state forward quickly enough that people see improvement, but not fast enough to jeopardize its progress as new virus strains emerge. What the governor likely hopes to avoid at all costs: having things spiral out of control as they did in [July](#) and [December](#), prompting him to shut down the state for the second and third time.

The coronavirus bottom line: As of Wednesday, California

had **3,484,963 confirmed cases (+0.1% from previous day)** and **52,775 deaths (+0.5% from previous day)**, according to [a CalMatters tracker](#).

Also: CalMatters regularly updates this pandemic timeline tracking the [state's daily actions](#). And we're [tracking the state's coronavirus hospitalizations by county](#).

A Message from our Sponsor



Other stories you should know

1. Analyzing the State of the State



Gov. Gavin Newsom delivers the 2020 State of the State address in Sacramento. Photo by Anne Wernikoff for CalMatters

Newsom’s administration also announced Wednesday that the governor will deliver the annual State of the State speech on March 9. That’s the latest date in California history — never before has a governor delivered the State of State address after February, according to [records maintained by the California State Library](#). It will also be unusual in that Newsom will deliver it remotely from Los Angeles County in the evening, rather than in front of the state Legislature in Sacramento during the day. I talked with CalMatters political columnist Dan Walters, who’s been covering state politics for nearly 60 years, about the significance of these changes.

Me: “What do you think about the timing?”

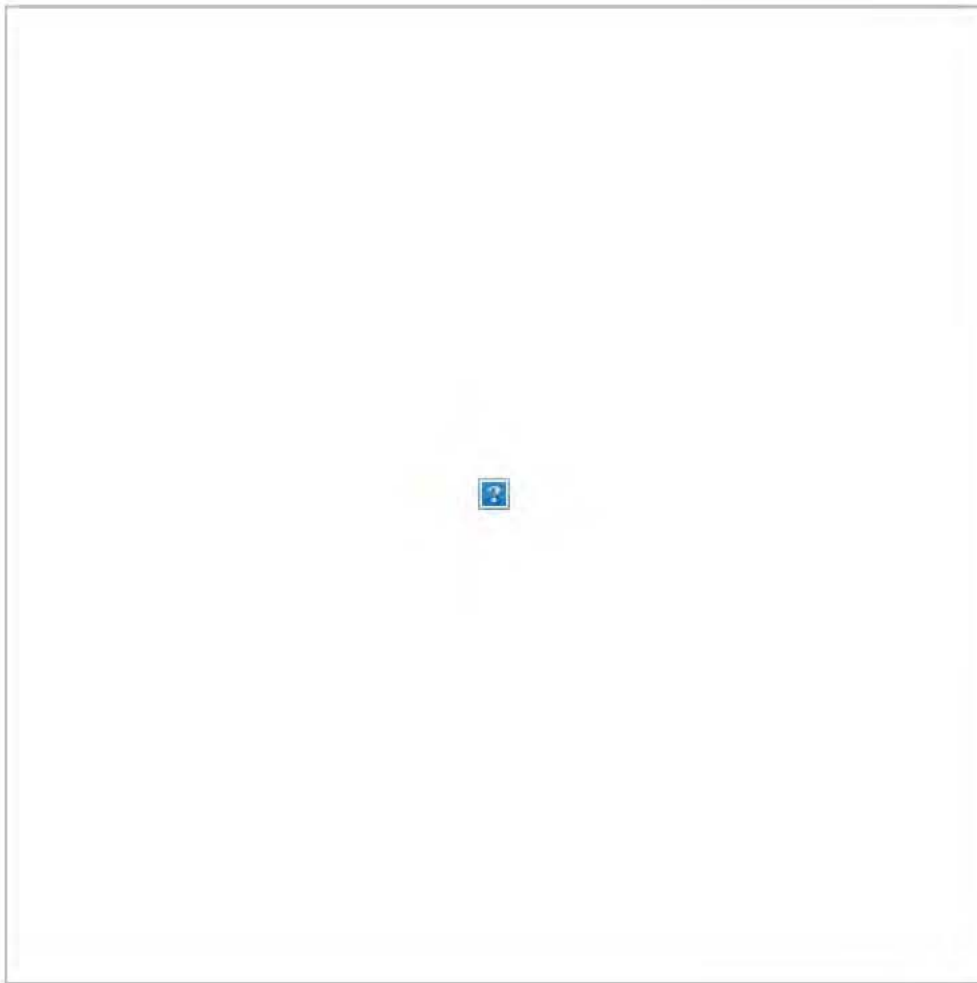
Dan: “Prime time television, prime time television! Since the Legislature can’t convene anyway, you might as well get the

maximum TV exposure out of the thing by doing it in LA.”

Me: “I wonder if he was waiting to have the speech until more schools announced they’re going to be reopening.”

Dan: “He could not really deliver a State of the State message with the whole school issue still unsettled. ... He needs to have the indicators pointing upward: COVID infections down. Schools are reopening. The economy’s good. Bright future’s ahead. And you can give me all the credit ... and not vote for the recall.”

2. Where is CA’s schools chief?



California Superintendent of Public Instruction Tony Thurmond speaks at a press conference on Oct. 31, 2019. Photo by Anne Wernikoff for CalMatters

Where is Tony Thurmond? The state’s top education official has

been conspicuously absent at events touting California's plan to reopen public schools — which lawmakers will formally vote on today — and has had a limited role in negotiations, raising questions about how effectively he's using the power of the office, [CalMatters' Laurel Rosenhall reports](#). In other states, education leaders have more visibly guided schools through the pandemic: In Connecticut, for example, education commissioner Miguel Cardona played a hands-on role negotiating with unions to reopen schools before President Joe Biden tapped him as the new U.S. education secretary. But Thurmond maintains he's been working doggedly behind the scenes to help schools.

- [Thurmond](#): “I recognize the limitations of my office, but I pretend like there aren't any and I just put myself in the conversation. ... I feel like I've done everything that I could, and more. I feel like I've exceeded what my position allows me to do.”

3. Is the California Exodus real?

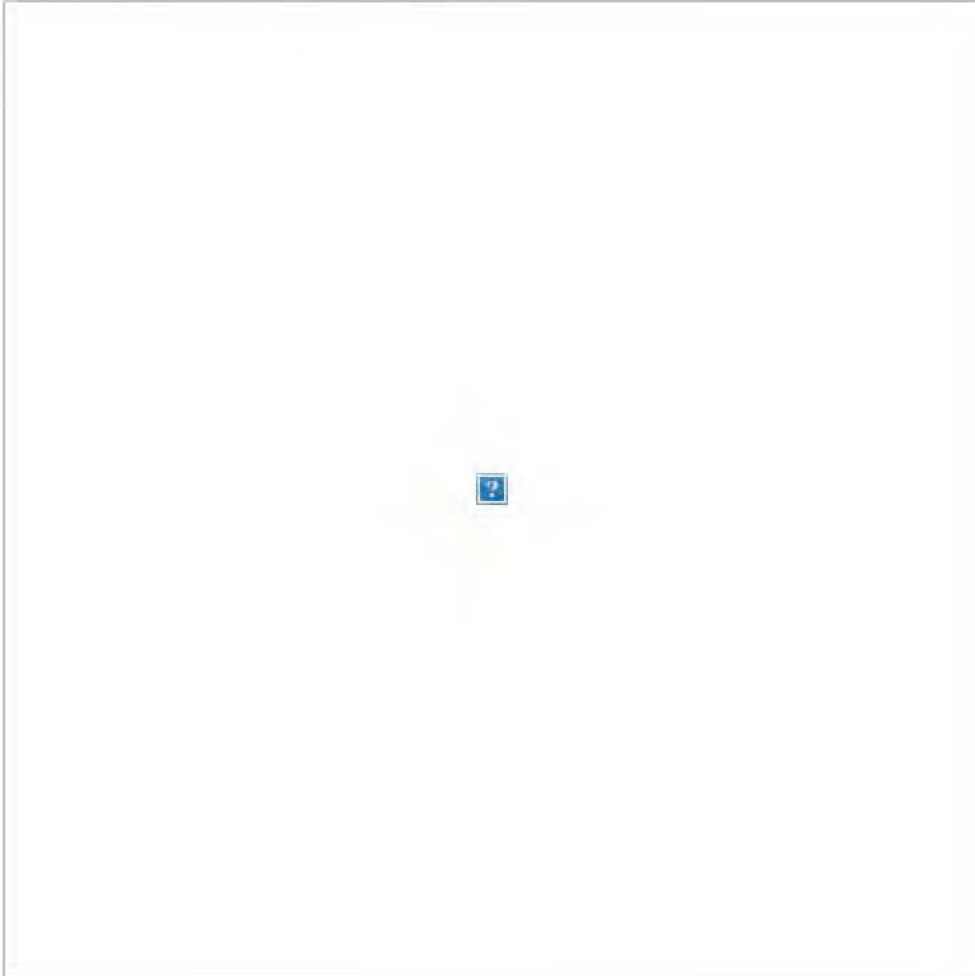


A moving truck outside of an apartment building in Oakland on Nov. 7, 2020. Photo by Anne Wernikoff for CalMatters

You've heard about the California Exodus by now. But fears that Californians — especially wealthy ones — are leaving the state in droves may be largely overblown, according to data released Thursday by the California Policy Lab, a research arm of the University of the California. The lab found that “the pandemic has not so much propelled people out of California as it has shifted them around within it.” Although the number of people leaving San Francisco in 2020 shot up an eye-popping 649% compared to the year before, around 80% of those roughly 38,000 people stayed in the state, [CalMatters' Lauren Hepler reports](#). And because so many things are happening at once during the pandemic, it's hard to gauge the full extent to which the transitions are permanent. As Lauren points out, the remote work crowd is just beginning to confront the prospect of salary cuts that accompany moves to lower-cost locales.

- [Alexander Shea, a 24-year-old actor who moved to St. Louis in March](#): “If things go well, I’ll just move back to LA.”

A Message from our Sponsor



CalMatters commentary

Diversifying California’s physicians: Research shows we need to build a broader pool of competitive medical school applicants who reflect the diversity of the state, [write Janet Coffman and Dr. Alicia Fernández of USCF](#).

Other things worth your time

Assemblymember Sydney Kamlager declares victory in state Senate seat race. // [Los Angeles Times](#)

San Francisco is high up the list of cities donating money to Newsom's recall. // [San Francisco Chronicle](#)

San Diego County quietly allows court workers, judges, lawyers to get vaccine. // [San Diego Union-Tribune](#)

30,000 on waitlist to get vaccinated in Contra Costa County. // [East Bay Times](#)

Feds indict inmate, Fresno man in latest California unemployment fraud prosecution. // [Sacramento Bee](#)

Majority white areas got more PPP business loan money than Latino areas, UCLA study says. // [Los Angeles Times](#)

After Nancy Pelosi, who? San Francisco plays guessing game. // [Los Angeles Times](#)

Los Angeles is entitled to federal aid to put homeless people in hotels. But it hasn't asked for any. // [Los Angeles Times](#)

Fresno has the most people per household of any large U.S. city. // [Fresno Bee](#)

San Francisco has struggled to stem the fentanyl epidemic. Can new behavioral health czar change that? // [San Francisco Chronicle](#)

Lady Gaga's French bulldog was stolen. The dogs are getting targeted by thieves in the Bay Area, too. // [San Francisco Chronicle](#)

See you tomorrow.

Tips, insight or feedback? Email emily@calmatters.org.

Follow me on Twitter: [@emily_hoeven](#)

Subscribe to CalMatters newsletters [here](#).

Follow CalMatters on [Facebook](#) and [Twitter](#).

CalMatters is now available in Spanish
on [Twitter](#), [Facebook](#) and [RSS](#).

FOLLOW CALMATTERS



Copyright © 2021 CalMatters, All rights reserved.

You are receiving this email because you are an influential and informed Californian
interested in the latest policy news.

Our mailing address is:

CalMatters
1017 L St
#261
Sacramento, CA 95814

[Add us to your address book](#)

[unsubscribe from this list](#) | [update subscription preferences](#) | [view email in browser](#)

From: Vern.Warnke@countyofmerced.com
To: Aaron.Rosenberg@countyofmerced.com
Cc: ML_SheriffAdmin@countyofmerced.com
Subject: Re: State changes reopening criteria — again
Date: Thursday, March 4, 2021 11:20:40 AM

I will forward all from here on

Sent from my iPhone

On Mar 4, 2021, at 7:41 AM, ROSENBERG, AARON <Aaron.Rosenberg@countyofmerced.com> wrote:

I do not

From: WARNKE, VERN <Vern.Warnke@countyofmerced.com>
Sent: Thursday, March 4, 2021 7:31 AM
To: ML_SheriffAdmin <ML_SheriffAdmin@countyofmerced.com>
Subject: Fwd: State changes reopening criteria — again

Do any of you get these email threads?

Sent from my iPhone

Begin forwarded message:

From: "Emily Hoeven, CalMatters" <emily@calmatters.org>
Date: March 4, 2021 at 6:03:59 AM PST
To: "WARNKE, VERN" <Vern.Warnke@countyofmerced.com>
Subject: State changes reopening criteria — again
Reply-To: "Emily Hoeven, CalMatters" <emily@calmatters.org>

[Get informed and subscribe](#)

[View email in your browser](#)



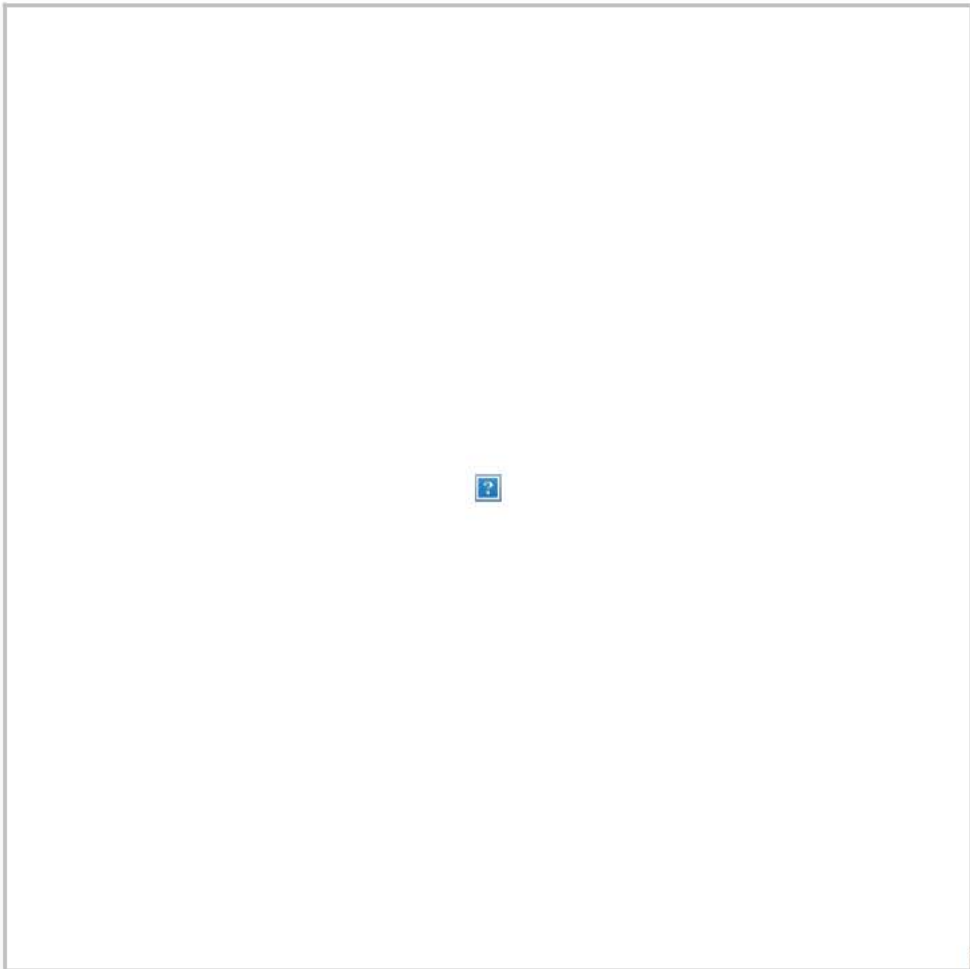
WhatMatters

YOUR GUIDE TO
CALIFORNIA POLICY AND
POLITICS BY EMILY
HOEVEN

Presented by Mattress Recycling Council and ACEC California

Good morning, California. It's Thursday, March 4.

Vaccines tied to case rates



People

wait in line at a Planet Fitness in Anaheim following the re-opening of a handful of franchises as “essential health care” businesses on Oct. 8, 2020. Photo by Tash Kimmell for CalMatters

Gov. Gavin Newsom’s administration announced changes late Wednesday night to California’s tiered reopening system that will make it easier for businesses to reopen and increase pressure on school districts to bring kids back to campus.

Under the new system, California will earmark 40% of its COVID-19 vaccine doses for low-income communities spread out across [400 of the state’s ZIP codes](#), largely in Los Angeles County, the Inland Empire and the Central Valley. Once 2 million of the roughly 8 million eligible residents in those communities are vaccinated, the state will adjust the coronavirus case rate needed for counties to move from the most restrictive purple tier to the red tier. Instead of 7 cases per 100,000, it will be raised to 10 cases per 100,000 — easing the way for restaurants, gyms, museums, movie theaters and other businesses to reopen indoors at limited capacity, CalMatters’ Barbara Feder Ostrov, Ana Ibarra, Lauren Hepler and I report.

Once 4 million residents are vaccinated in those low-income communities — defined as those with low scores on the state’s [Healthy Places Index](#), which measures criteria including income, education, park access, air pollution and housing — the state will adjust the threshold to enter the orange and yellow tiers.

Administration officials said that 1.6 million doses have already been administered in those low-income communities, and it could take around two weeks to reach the 2 million mark

necessary to adjust case rates. Currently, 87% of the state's population lives in [purple-tier counties](#).

Officials said they also may change the sector-by-sector business reopening guidelines in the coming weeks. Recent lawsuits by restaurateurs, salon owners and craft brewers have [alleged unfair treatment](#).

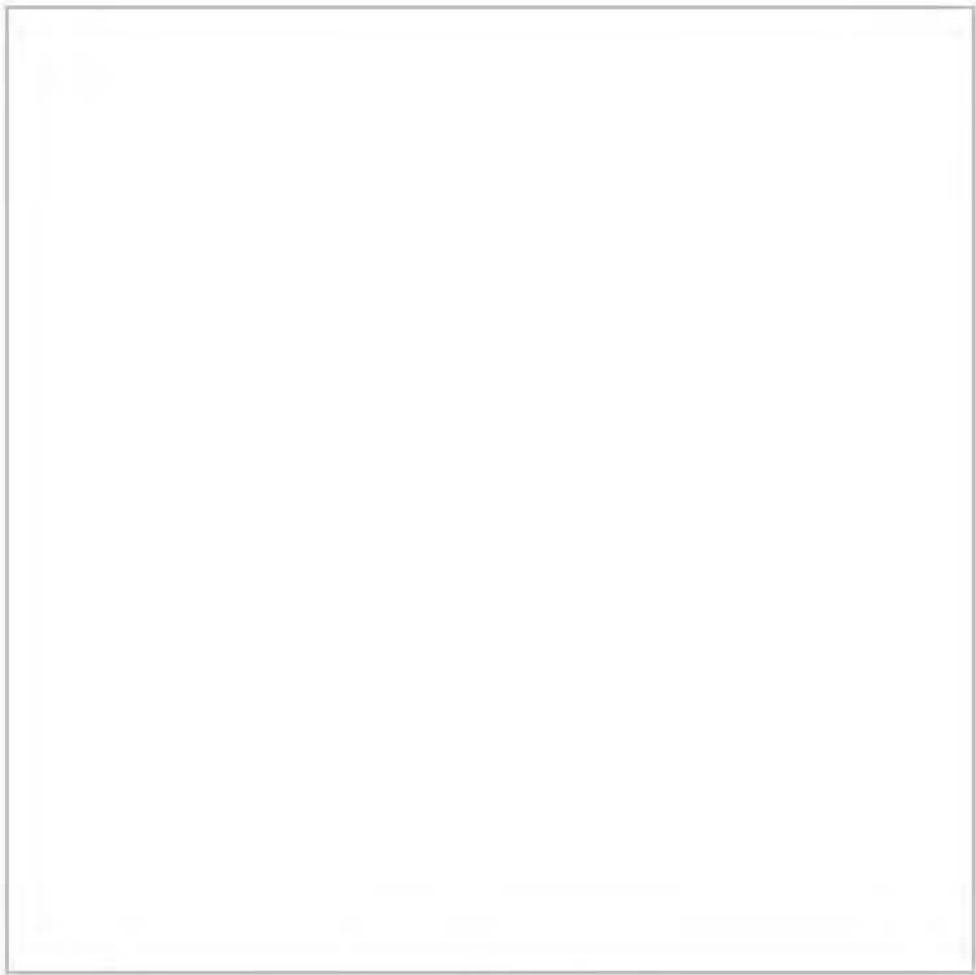
The new vaccine strategy follows weeks of Newsom's emphasis on developing an "equity frame." African American and Latino Californians have been the hardest hit throughout the pandemic, with the highest levels of COVID-19 hospitalizations and deaths. They've also been vaccinated at lower rates.

The announcement also came hours before [the one-year anniversary](#) of Newsom declaring a state of emergency due to COVID-19. With the governor facing a [recall](#) all but certain to qualify for the ballot, his challenge is to move the state forward quickly enough that people see improvement, but not fast enough to jeopardize its progress as new virus strains emerge. What the governor likely hopes to avoid at all costs: having things spiral out of control as they did in [July](#) and [December](#), prompting him to shut down the state for the second and third time.

The coronavirus bottom line: As of Wednesday, California had **3,484,963 confirmed cases (+0.1% from previous day)** and **52,775 deaths (+0.5% from previous day)**, according to [a CalMatters tracker](#).

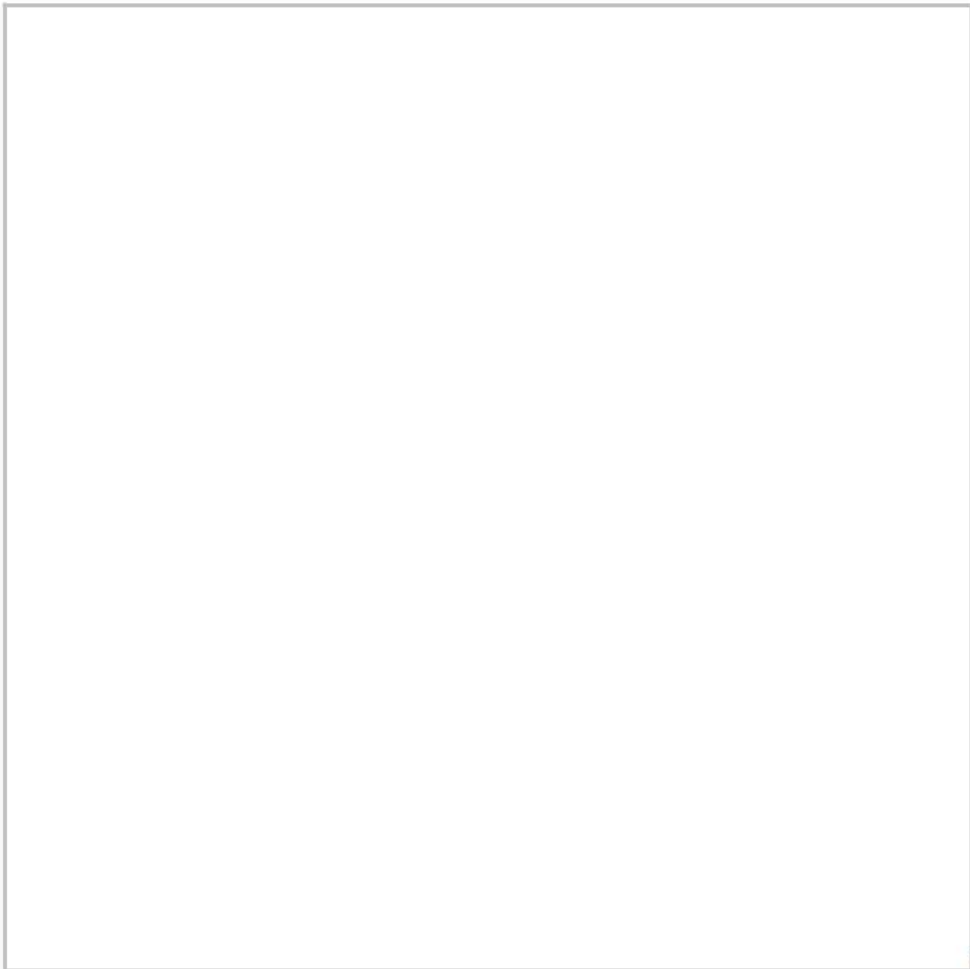
Also: CalMatters regularly updates this pandemic timeline tracking the [state's daily actions](#). And we're [tracking the state's coronavirus hospitalizations by county](#).

A Message from our Sponsor



Other stories you should know

- 1. Analyzing the State of the State**



Gov.

Gavin Newsom delivers the 2020 State of the State address in Sacramento. Photo by Anne Wernikoff for CalMatters

Newsom’s administration also announced Wednesday that the governor will deliver the annual State of the State speech on March 9. That’s the latest date in California history — never before has a governor delivered the State of State address after February, according to [records maintained by the California State Library](#). It will also be unusual in that Newsom will deliver it remotely from Los Angeles County in the evening, rather than in front of the state Legislature in Sacramento during the day. I talked with CalMatters political columnist Dan Walters, who’s been covering state politics for nearly 60 years, about the significance of these changes.

Me: “What do you think about the timing?”

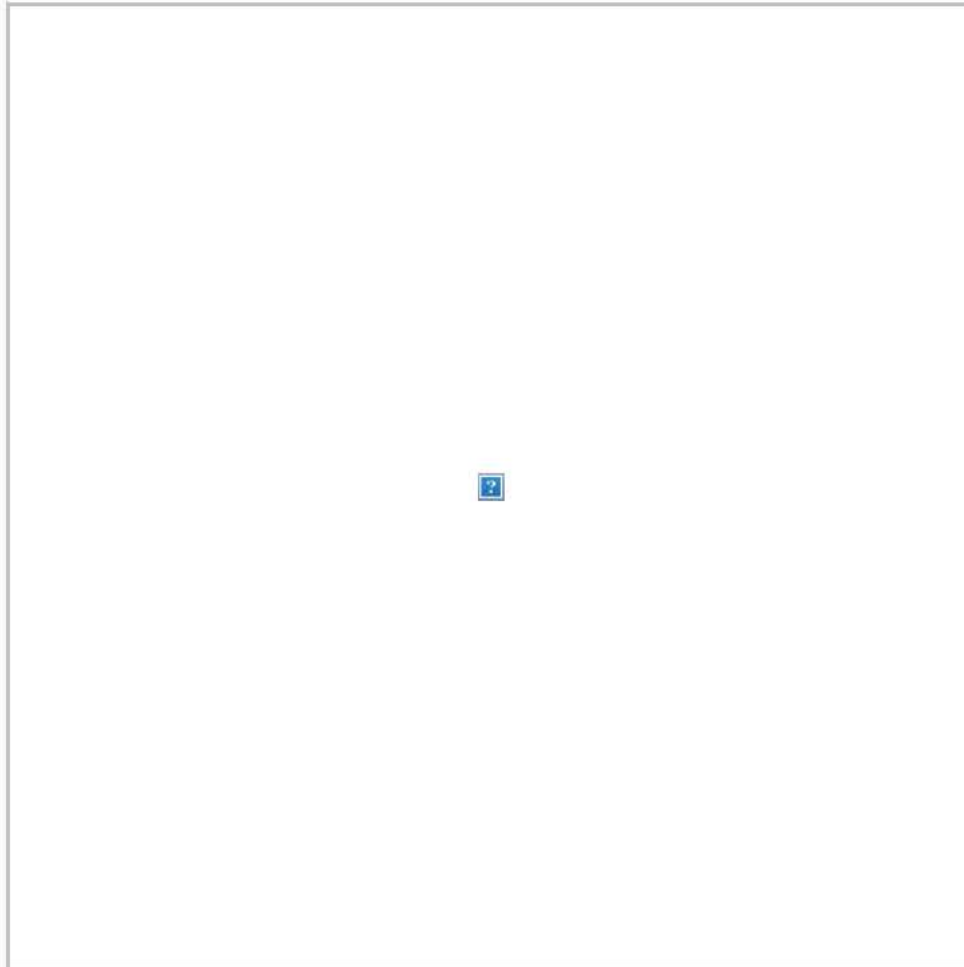
Dan: “Prime time television, prime time television! Since the Legislature can’t convene anyway, you might as well get the maximum TV exposure out of the thing by doing it in LA.”

Me: “I wonder if he was waiting to have the speech until more schools announced they’re going to be reopening.”

Dan: “He could not really deliver a State of the State message with the whole school issue still unsettled. ... He needs to have the indicators pointing upward: COVID infections down. Schools are reopening. The economy’s good. Bright future’s ahead. And you can give me all

the credit ... and not vote for the recall.”

2. Where is CA’s schools chief?



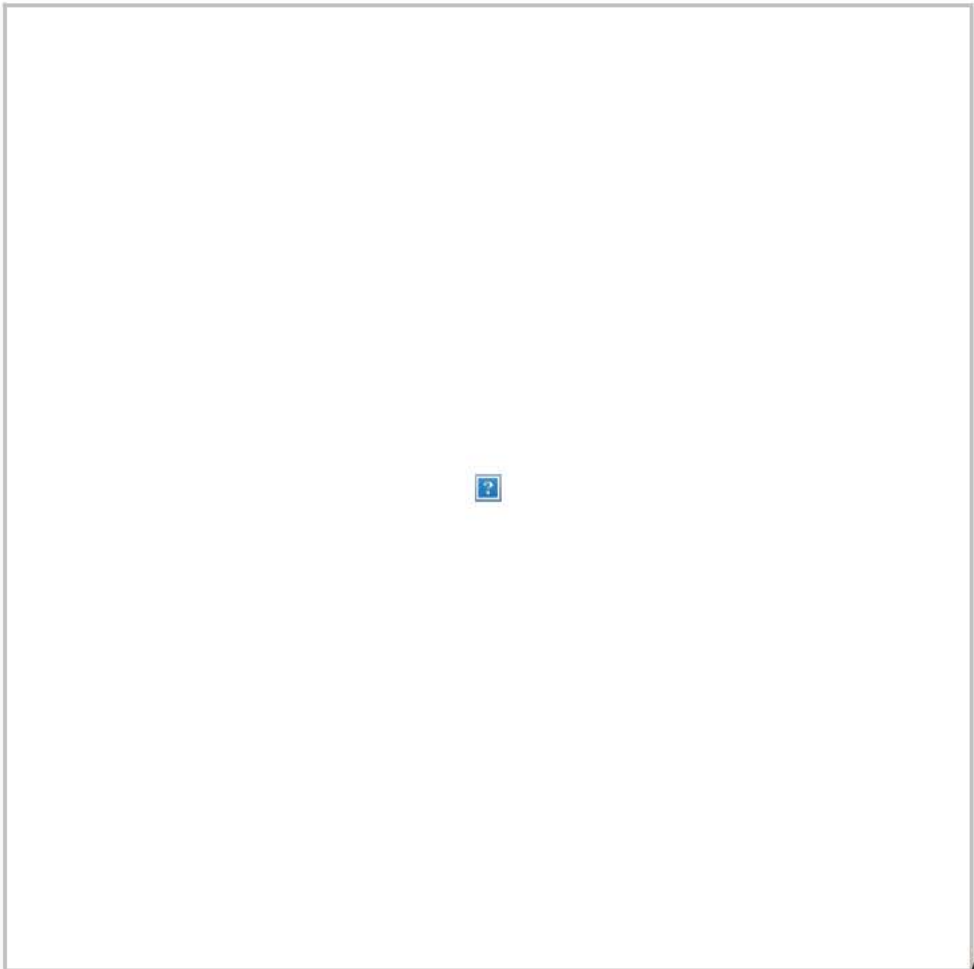
California

Superintendent of Public Instruction Tony Thurmond speaks at a press conference on Oct. 31, 2019. Photo by Anne Wernikoff for CalMatters

Where is Tony Thurmond? The state’s top education official has been conspicuously absent at events touting California’s plan to reopen public schools — which lawmakers will formally vote on today — and has had a limited role in negotiations, raising questions about how effectively he’s using the power of the office, [CalMatters’ Laurel Rosenhall reports](#). In other states, education leaders have more visibly guided schools through the pandemic: In Connecticut, for example, education commissioner Miguel Cardona played a hands-on role negotiating with unions to reopen schools before President Joe Biden tapped him as the new U.S. education secretary. But Thurmond maintains he’s been working doggedly behind the scenes to help schools.

- [Thurmond](#): “I recognize the limitations of my office, but I pretend like there aren’t any and I just put myself in the conversation. ... I feel like I’ve done everything that I could, and more. I feel like I’ve exceeded what my position allows me to do.”

3. Is the California Exodus real?

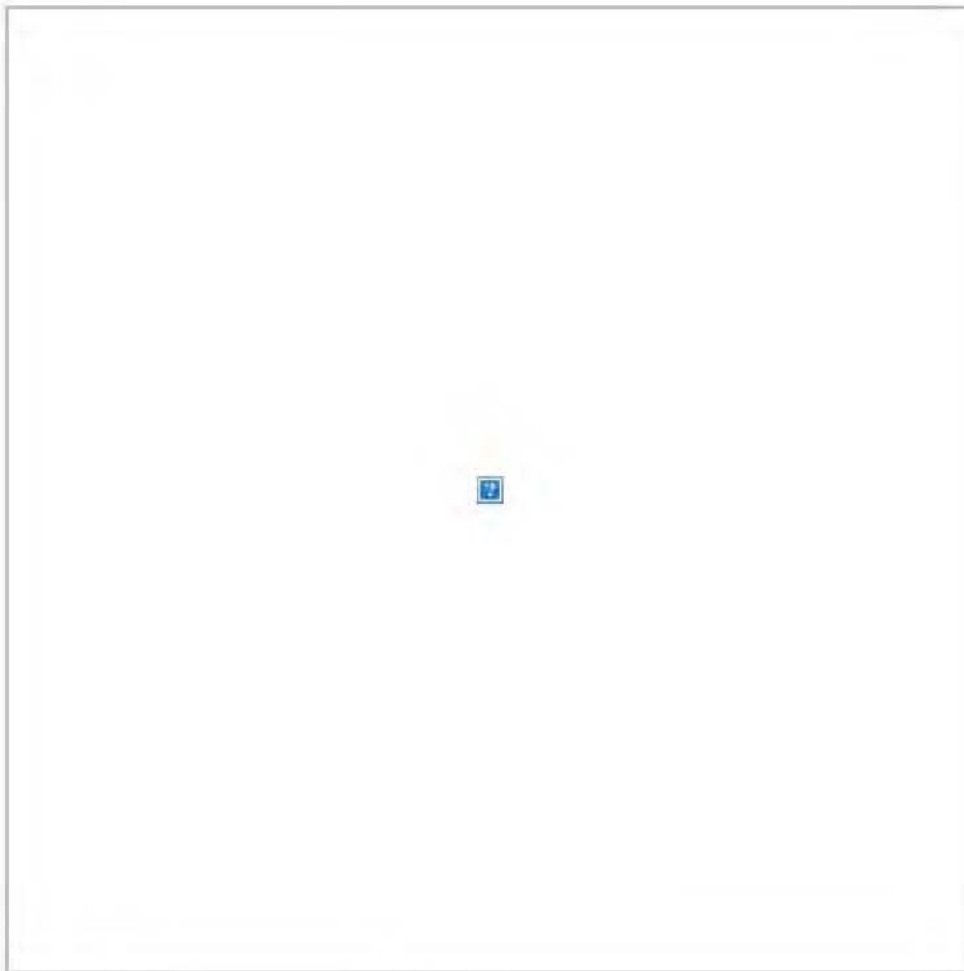


A moving truck outside of an apartment building in Oakland on Nov. 7, 2020. Photo by Anne Wernikoff for CalMatters

You've heard about the California Exodus by now. But fears that Californians — especially wealthy ones — are leaving the state in droves may be largely overblown, according to data released Thursday by the California Policy Lab, a research arm of the University of the California. The lab found that “the pandemic has not so much propelled people out of California as it has shifted them around within it.” Although the number of people leaving San Francisco in 2020 shot up an eye-popping 649% compared to the year before, around 80% of those roughly 38,000 people stayed in the state, [CalMatters' Lauren Hepler reports](#). And because so many things are happening at once during the pandemic, it's hard to gauge the full extent to which the transitions are permanent. As Lauren points out, the remote work crowd is just beginning to confront the prospect of salary cuts that accompany moves to lower-cost locales.

- [Alexander Shea, a 24-year-old actor who moved to St. Louis in March](#): “If things go well, I'll just move back to LA.”

A Message from our Sponsor



CalMatters commentary

Diversifying California's physicians: Research shows we need to build a broader pool of competitive medical school applicants who reflect the diversity of the state, [write Janet Coffman and Dr. Alicia Fernández of USCF](#).

Other things worth your time

Assemblymember Sydney Kamlager declares victory in state Senate seat race. // [Los Angeles Times](#)

San Francisco is high up the list of cities donating money to Newsom's recall. // [San Francisco Chronicle](#)

San Diego County quietly allows court workers, judges, lawyers to get vaccine. // [San Diego Union-Tribune](#)

30,000 on waitlist to get vaccinated in Contra Costa County. // [East Bay Times](#)

Feds indict inmate, Fresno man in latest California unemployment fraud prosecution. // [Sacramento Bee](#)

Majority white areas got more PPP business loan money than Latino areas, UCLA study says. // [Los Angeles Times](#)

After Nancy Pelosi, who? San Francisco plays guessing game. // [Los Angeles Times](#)

Los Angeles is entitled to federal aid to put homeless people in hotels. But it hasn't asked for any. // [Los Angeles Times](#)

Fresno has the most people per household of any large U.S. city. // [Fresno Bee](#)

San Francisco has struggled to stem the fentanyl epidemic. Can new behavioral health czar change that? // [San Francisco Chronicle](#)

Lady Gaga's French bulldog was stolen. The dogs are getting targeted by thieves in the Bay Area, too. // [San Francisco Chronicle](#)

See you tomorrow.

Tips, insight or feedback? Email emily@calmatters.org.

Follow me on Twitter: [@emily_hoeven](#)

Subscribe to CalMatters newsletters [here](#).

Follow CalMatters on [Facebook](#) and [Twitter](#).

CalMatters is now available in Spanish on [Twitter](#), [Facebook](#) and [RSS](#).

FOLLOW CALMATTERS



Copyright © 2021 CalMatters, All rights reserved.

You are receiving this email because you are an influential and informed Californian interested in the latest policy news.

Our mailing address is:

CalMatters
1017 L St
#261
Sacramento, CA 95814

[Add us to your address book](#)

[unsubscribe from this list](#) | [update subscription preferences](#) | [view email in browser](#)

From: Vern.Warnke@countyofmerced.com
To: KMitchell@ksee.com
Cc: ML_SheriffAdmin@countyofmerced.com
Subject: Re: Capitol Protest
Date: Tuesday, January 12, 2021 12:50:37 PM

Hi Kirsten. As far as I know, no Merced Sheriff personnel were there. If that changes, you will be notified.

Vern

Sent from my iPhone

On Jan 12, 2021, at 11:54 AM, Kirsten Mitchell <KMitchell@ksee.com> wrote:

Good morning!

Checking in with local agencies...

To your knowledge were any off-duty deputies, or other Merced County Sheriff's personnel at the Capitol during the events of January 6?

Let me know when you get the chance -

Thanks!

Kirsten Mitchell

CBS47 Weekend Anchor/Reporter

Twitter:  https://twitter.com/Kirsten_TV

Facebook: <https://www.facebook.com/KirstenMitchellTV>

Instagram: <https://www.instagram.com/kirstenmitchell>

CBS47 Eyewitness News/KSEE24 Local News that Matters
5035 E McKinley Ave
Fresno, CA 93727
559-222-2411

From: Vern.Warnke@countyofmerced.com
To: shadmin@countyofmerced.com
Subject: Fwd: All Sheriffs News and Information
Date: Saturday, May 8, 2021 10:06:04 PM
Attachments: [MCCA Qualified Immunity Reform Policy Statement.pdf](#)
[HIIT Investigative Support Specialist Job Announcement05012021.pdf](#)
[Job Announcement Drug Intelligence Officer 5.1.21.pdf](#)

Look at number 1. I thought we used one before.

Sent from my iPhone

Begin forwarded message:

From: Carmen Green <cgreen@calsheriffs.org>
Date: May 8, 2021 at 6:58:09 AM PDT
To: Carmen Green <cgreen@calsheriffs.org>
Subject: All Sheriffs News and Information

All Sheriffs News and Information – We Have The Following 8 Items:

- 1) Request for Information from Lake County Sheriff Brian Martin.
- 2) Newsom's AG pick will test California's mood on criminal justice.
- 3) Adult Regulations Revision ESC Meeting on 5/25/21.
- 4) Emergency readoption of DROS fee regulation.
- 5) Judicial Council of California: Jury Selection Work Group: request for public comment.
- 6) COPS Office Grant Announcements – New Funding Opportunities Open Now!
- 7) CVC HIDTA Job Announcements.
- 8) Major Cities Chiefs Association's (MCCA) finalized Qualified Immunity Reform Policy Statement.

1) Request for Information from Lake County Sheriff Brian Martin. Lake County SO is in need of a forensic accountant for a financial crimes investigation. Has your county used a forensic accountant for a financial crimes investigation? If so, who or what entity did you use? Please email your respond directly to Sheriff Martin at Brian.Martin@lakecountyca.gov.

2) Newsom's AG pick will test California's mood on criminal justice. OAKLAND — Becoming California's top cop may have been the easy part. Keeping the job is another story.

Rob Bonta was Gov. Gavin Newsom's choice for state attorney general after

eight years as a liberal Democratic state lawmaker. He was celebrated in March by police reformers and Asian American organizations as a groundbreaking pick at a time of social upheaval.

But Bonta has routinely been at odds with law enforcement, who remain powerful in California and could very well back a credible challenger. Whether Bonta survives next year in his first statewide election will be the ultimate test of whether this once tough-on-crime state has truly changed.

Click on link for entire article:

<https://www.politico.com/states/california/story/2021/05/05/newsoms-ag-pick-will-test-californias-mood-on-criminal-justice-1380543>

3) Adult Regulations Revision ESC Meeting on 5/25/21. The Adult Titles 15 and 24 Executive Steering Committee will be meeting on May 25, 2021 from 4:00 PM to 6:00 PM. The meeting will be held over zoom. BSCC staff encourages stakeholder participation; and information for how to participate is linked below.

For information on the regulation revision process and meeting materials, click [HERE](#). Questions may be directed to regulations@bscc.ca.gov. Please be advised the following are posted on the BSCC's website at: http://www.bscc.ca.gov/m_meetings.php. BSCC Meeting Information - Committee Meeting: [Adult Regulations Revision ESC Meeting - 5/25/21](#)

4) Emergency readoption of DROS fee regulation. Below is the link which include the documents concerning an emergency rulemaking regarding the Dealer Record of Sale (DROS) Fee. This fee is paid at the initiation of a purchase or transfer of one or more firearms. This notice and related documents are also available on the Department's website at <https://oag.ca.gov/firearms/regs/drosfee>

5) Judicial Council of California: Jury Selection Work Group: request for public comment. This is to inform you that the Jury Selection Work Group has posted questions for public comment to the California Courts website, at www.courts.ca.gov/Jury-Selection-Work-Group.htm. Here is a link to the ITC memo: www.courts.ca.gov/documents/JSWGITCrev.pdf. Comments must be submitted by Friday, June 4, at 5:00 p.m. (Pacific).

6) COPS Office Grant Announcements – New Funding Opportunities Open Now! The COPS Office is pleased to announce that the following grant funding

opportunities are now open and accepting applications:

COPS Hiring Program (CHP): The 2021 COPS Hiring Program is a competitive grant program designed to provide funds directly to law enforcement agencies to hire new or rehire existing career law enforcement officers to increase their community policing capacity and crime prevention efforts. Anticipated outcomes of CHP awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity of agencies to engage in community policing activities. All local, state, territorial, and tribal law enforcement agencies that have primary law enforcement authority are eligible to apply. Up to \$156.5 million is available for this program.

Applications are due by June 22, 2021 at 7:59 PM EDT. Please click [here](#) for more information on the 2021 COPS Hiring Program.

School Violence Prevention Program (SVPP). The 2021 COPS Office School Violence Prevention Program is a competitive program that provides funding directly to States, units of local government, Indian tribes, and their public agencies to be used to improve security at schools and on school grounds in the jurisdiction of the grantee through evidence-based school safety programs. Up to \$53 million is available for this program.

Applications are due by June 22, 2021 at 7:59 PM EDT. Please click [here](#) for more information on the 2021 School Violence Prevention Program.

7) CVC HIDTA Job Announcements. Please see attached job announcements for the Central Valley California HIDTA.

8) Major Cities Chiefs Association's (MCCA) finalized Qualified Immunity Reform Policy Statement. See attached, this is the consensus position of the Association however, individual member positions may vary. MCCA understands qualified immunity reform is a contentious issue and has made it clear that elimination is not a solution, but reform to better promote transparency and accountability is achievable.



M. Carmen Green, Executive Director
California State Sheriffs' Association
p. 916.375.8000 cgreen@calsheriffs.org

www.calsheriffs.org

"To support the role of sheriff as the chief law enforcement officer in each California County and to speak as a collective voice on matters of public safety."

PRIVILEGED AND CONFIDENTIAL COMMUNICATION - This electronic transmission, and any documents attached hereto, may contain confidential and/or legally privileged information. The information is intended only for use by the recipient named above. If you have received this electronic message in error, please notify the sender and delete the electronic message. Any disclosure, copying, distribution, or use of the contents of information received in error is strictly prohibited.



MAJOR CITIES CHIEFS ASSOCIATION

Qualified Immunity Reform Policy Statement

Background

Qualified immunity is a legal doctrine that protects government officials, not just members of law enforcement, from civil liability for actions carried out while performing their official duties as long as those actions do not violate a clearly established constitutional right. It is important to note that qualified immunity does not prevent these officials from being charged with a crime if their actions violated the law.

While there have been calls for the complete elimination of qualified immunity, the doctrine should provide law enforcement officers who act in an objectively reasonable manner with the protections necessary for them to discharge their duties effectively. For example, these protections are important when officers are required to make split-second decisions under very difficult circumstances. It is important to note that qualified immunity protections apply to all aspects of law enforcement's job, not just situations involving the use of force. Furthermore, eliminating qualified immunity would likely have several unintended consequences, such as negative impacts on officer performance or law enforcement recruitment and retention efforts, both of which would be detrimental to public safety overall.

However, the doctrine of qualified immunity can be reformed to improve transparency and ensure those individuals who engage in gross misconduct are held accountable for their actions. This policy statement represents the consensus position of the Major Cities Chiefs Association (MCCA). Please note that individual MCCA member positions may vary from what is included in this statement.

Current Challenges

The MCCA acknowledges that courts' current interpretation of qualified immunity has made it difficult for plaintiffs to prove their constitutional rights were violated in some cases. In order for a court to find that qualified immunity does not apply, plaintiffs need to demonstrate that their rights were violated and that it was clearly established at the time of the incident that the officer's actions violated those rights. To prove this, plaintiffs must point to a previous case in the relevant jurisdiction, with a substantially similar set of facts, in which the court determined an officer's conduct violated an individual's constitutional rights. Due to the varying interpretations for meeting the clearly established rights standard, qualified immunity protections have been applied in some extraordinary cases where the officer engaged in egregious behavior that the MCCA does not condone.

Key Principles

While the MCCA opposes the elimination of qualified immunity, the MCCA supports reforming the doctrine to better promote transparency and accountability. The MCCA recommends that any proposed reforms incorporate the following principles:

- Law enforcement officers must continue to have access to the necessary protections to allow them to do their jobs without fear of retribution for actions that are objectively reasonable and performed in good faith
- Officers who engage in conduct that is criminal must be held accountable—a failure to do so undermines the trust between law enforcement and the community that is critical to good policing
- When assessing claims of qualified immunity, courts should examine if the officer’s actions were objectively reasonable or if there was fair notice or warning that the conduct was unconstitutional
- Any reforms to qualified immunity should apply to all government employees

Qualified Immunity Reform Policy Statement

While officers who break the law or intentionally violate an individual’s constitutional rights should be held accountable civilly or criminally, those who seek to do their best to make the right decision under challenging circumstances deserve the protections afforded by qualified immunity. Congress should not abolish qualified immunity, and any changes to the doctrine should affect the protections afforded to all government officials.

Qualified immunity should be denied when an officer has fair notice that their conduct violates a constitutional right or the officer’s conduct was not objectively reasonable. In other words, an officer can be on notice that their conduct violates established law even in novel factual situations.¹ Plaintiffs should not have to point to a previous case with a substantially similar set of facts to prove their rights were violated. These changes will ease the burden on plaintiffs while ensuring officers are still appropriately protected.

Examples Highlighting Impact of Proposed Reforms

Baxter v. Bracey

Officers Brad Bracey and Spencer Harris pursued Alexander Baxter in response to reports that Baxter was attempting to burglarize houses in the neighborhood. At the end of the pursuit, the officers, who had a police dog with them, found Baxter sitting on the ground with his hands in the air. Officer Harris released the dog, who bit Baxter, requiring emergency medical treatment.²

Baxter sued, claiming that Officer Harris’s use of the police dog violated his Fourth Amendment rights. A previous Sixth Circuit case held that it was unconstitutional to use a police dog against a

¹ See *Hope v. Pelzer*, 536 U.S. 730 (2002). In this case, the Supreme Court held that courts could look not only to circuit precedent but also to the “obvious cruelty inherent in the practice itself” in order to determine if there was fair notice.

² *Baxter v. Bracey*, No. 18-5102 (6th Cir. Nov. 8, 2018). See also, Jay Schweikert, “Qualified Immunity: A Legal, Practical, and Moral Failure,” Policy Analysis no. 901, CATO Institute, September 14, 2020.

<https://www.cato.org/policy-analysis/qualified-immunity-legal-practical-moral-failure>

non-threatening suspect laying on the ground with their hands at their side. Despite this case, Officer Harris was granted qualified immunity. The court held that there was no case law suggesting that Baxter “raising his hands, on its own, is enough to put Harris on notice that a canine apprehension was unlawful in these circumstances.”³

If Congress enacted the MCCA’s proposed reforms to qualified immunity, Baxter could have argued that Officer Harris had fair notice that his conduct violated a constitutional right from the previous Sixth Circuit case or that Officer Harris’s conduct was not objectively reasonable under the facts and circumstances present.

Kelsay v. Ernst

Melanie Kelsay was engaged in horseplay at a public pool with a friend. Some bystanders thought she was being assaulted and called the police, who arrested the friend, despite Kelsay’s claims that her friend was not assaulting her. Police ended up arresting Kelsay as well, and while speaking with Sheriff’s Deputy Matt Ernst, Kelsay noticed her daughter had gotten into an altercation with a bystander. Kelsay tried to go over to her daughter, but Deputy Ernst grabbed her arm and told her to “get back here.” Kelsay attempted to walk towards her daughter again. Deputy Ernst grabbed her from behind in a bear hug and threw her to the ground, which rendered Kelsay unconscious and broke her collarbone.⁴

Kelsay sued, claiming Deputy Ernst had violated her Fourth Amendment rights. The Eighth Circuit granted qualified immunity to Deputy Ernst, and the court upheld this decision after agreeing to rehear the case en banc. The Eighth Circuit held that at the time of the incident, it was not clearly established that:

A deputy was forbidden to use a takedown maneuver to arrest a suspect who ignored the deputy’s instructions to “get back here” and continued to walk away from the officer. None of the decisions cited by the district court or Kelsay involve a suspect who ignored an officer’s command and walked away, so they could not clearly establish the unreasonableness of using force under the particular circumstances here.⁵

If Congress enacted the MCCA’s proposed reforms to qualified immunity, Kelsay would have been able to argue that Deputy Ernst had fair notice that his conduct was unconstitutional. In fact, the principal dissenting opinion in this case cited four previous Eight Circuit cases to argue there was sufficient case law to “put a reasonable officer on notice that the use of force against a non-threatening misdemeanant who was not fleeing, resisting arrest, or ignoring other commands” was unconstitutional.⁶ Additionally, Kelsay also could have argued that Deputy Ernst’s conduct was not objectively reasonable under the facts and circumstances of the case.

³ *Ibid.*

⁴ *Kelsay v. Ernst* 933 F.3d 975 (8th Cir. 2019). See also “The Federal Law Enforcement Informer,” 9 *Informer* 19, *Federal Law Enforcement Training Center, U.S. Department of Homeland Security*, September 2019. <https://www.fletc.gov/sites/default/files/9informer19_1.pdf>

⁵ *Ibid.*

⁶ *Ibid.* The four cases cited in the opinion are *Brown v. City of Golden Valley*, 574 F.3d 491 (8th Cir. 2009), *Shannon v. Koehler* 616, F.3d 855 (8th Cir. 2010), *Montoya v. City of Flandreau*, 660 F.3d 867 (8th Cir. 2012), and *Shekleton v. Eichenberger* 677 F.3d 361 (8th Cir. 2012).

Corbitt v. Vickers

Christopher Barnett, a criminal suspect, fled into the backyard of Amy Corbitt while being pursued by law enforcement. When Barnett entered the backyard, one adult and six children were present, and law enforcement ordered everyone to get on the ground. Everyone complied, and then the Corbitt family dog entered the backyard. While the dog did not appear to be threatening anyone, Deputy Vickers fired two shots at the dog but missed. The second shot hit Corbitt's 10-year-old child, who was still on the ground near the deputy.⁷

Corbitt sued, and the court granted Deputy Vickers qualified immunity because of the “unique facts” of the case. The court held there was not a previous case that could clearly establish that “a temporarily seized person—as was [the child] in this case—suffers a violation of his Fourth Amendment rights when an officer shoots at a dog—or any other object—and accidentally hits the person.”⁸

If Congress enacted the MCCA's proposed reforms to qualified immunity, Corbitt would have been able to argue that Deputy Vickers' conduct was not objectively reasonable under the facts and circumstances present.

Frasier v. Evans

Levi Frasier recorded several officers who were using force to arrest an uncooperative suspect in public. Following the arrest, one of the officers followed Frasier to his car and requested he turn over the video of the arrest. Despite initially claiming that he did not have video of the incident, Frasier eventually produced the tablet he used to record it. One of the officers grabbed the tablet and began to look for the video. Frasier claimed the officer deleted the video, but a forensic analysis later revealed the recording was still on the tablet.⁹

Frasier sued the officers, claiming they had violated his First and Fourth Amendment rights. While the district court granted the officers qualified immunity for the Fourth Amendment claims, the officers were denied qualified immunity for the First Amendment claims. The district court held that while at the time of the incident, no previous Tenth Circuit case clearly established “the right to record police officers performing their official duties in public spaces,” the officers “actually knew from their training that this right existed,” and “are not entitled to qualified immunity when they knowingly violate a plaintiff's rights.”¹⁰

The officers appealed, and the appellate court overturned the district court's decision. The appellate court held that the officers should have been granted qualified immunity once the district court held that at the time of the incident, the right to record law enforcement officers “performing their official duties in public spaces” was not clearly established.¹¹

⁷ *Corbitt v. Vickers*, 929 F.3d 1304 (11th Cir. 2019) See also, Jordan Rubin, “High Court Won't Hear Law Enforcer Qualified Immunity Cases,” *Bloomberg Law*, June 15, 2020.

< <https://news.bloomberglaw.com/us-law-week/justices-wont-take-up-law-enforcer-qualified-immunity-doctrine>>

⁸ *Ibid.*

⁹ *Frasier v. Evans*, No. 19-1015 (10th Cir. 2021).

¹⁰ *Ibid.*

¹¹ *Ibid.*

If Congress enacted the MCCA's proposed reforms to qualified immunity, Frasier would have been able to argue that in light of the officers' training, their conduct was not objectively reasonable under the facts and circumstances present.

Conclusion

Officers who act in an objectively reasonable manner deserve to be protected by qualified immunity. These protections are necessary to ensure officers can act decisively in challenging situations and uphold public safety. Eliminating qualified immunity would have far-reaching impacts and make our communities less safe overall. However, law enforcement must acknowledge that courts' current interpretation of qualified immunity has presented a challenge. The doctrine should be reformed so qualified immunity is denied when an officer has fair notice that their conduct violates a constitutional right or the officer's conduct was not objectively reasonable. These changes will increase transparency and accountability and help law enforcement continue to build the trust with the community that is critical to good policing.

From: Vern.Warnke@countyofmerced.com
To: Daryl.Allen@countyofmerced.com
Subject: Re: Sheriff Warnke Interview -- Monday 11/23
Date: Tuesday, November 24, 2020 9:04:23 AM

Ooops. I must have missed the chance to speak on tv. Hmmmm

Sent from my iPhone

On Nov 23, 2020, at 6:52 AM, ALLEN, DARYL
<Daryl.Allen@countyofmerced.com> wrote:

<!--[if !vml]-->
<image003.jpg>
<!--[endif]-->

Deputy Daryl J. Allen
Public Information Officer
Merced County Sheriff's Office
700 W. 22nd Street
Merced, CA 95340
Office: (209) 385-7490
Cell: (209) 564-0480
[*dallen@co.merced.ca.us*](mailto:dallen@co.merced.ca.us)
[*http://www.mercedsheriff.com*](http://www.mercedsheriff.com)
[*http://www.facebook.com/MercedSheriffOffice*](http://www.facebook.com/MercedSheriffOffice)

From: Tillman, Ryan <Ryan.Tillman@FOXNEWS.COM>
Sent: Sunday, November 22, 2020 9:10 AM
To: ALLEN, DARYL <Daryl.Allen@countyofmerced.com>
Subject: Sheriff Warnke Interview -- Monday 11/23

Daryl,

I wanted to see if Sheriff Warnke could join us on America's Newsroom on Fox News Channel tomorrow morning to discuss the county's enforcement of Governor Newsom's coronavirus restrictions. This segment would be live in our 10am EST tomorrow, and we would conduct this via Skype.

Let me know the Sheriff's availability as soon as you can, and I look forward to hearing from you.

Best,

Ryan Tillman
Booker, *America's Newsroom*
Fox News Channel | Washington, D.C. Bureau
202-381-6326

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

From: Vern.Warnke@countyofmerced.com
To: shadmin@countyofmerced.com
Subject: FW: Can you point me in the right direction?
Date: Thursday, February 11, 2021 9:54:35 AM
Attachments: [image001.png](#)

FYI. Should we need this kind of service in the future.

From: Lexie Smith <LSmith@acaphealth.com>
Sent: Thursday, February 11, 2021 8:32 AM
To: WARNKE, VERN <Vern.Warnke@countyofmerced.com>
Subject: Can you point me in the right direction?

Hi Vern - I'm hoping you can help me out. I work with Dan Phillips(bio below) and Responder Health. Our goal is to provide First Responders with an option beyond traditional EAP services. We provide a confidential and full-service solution that supports first responders and their families through stress and traumatic events.

Are you the correct person to talk to; if not, mind pointing me in the right direction?

Much appreciated,
Lexie

Dan's Bio:

Chief Dan Phillips (Ret.) is the National Director of Responder Health, and the National Training Director for Armor Up America with Safe Call Now. He is a subject matter expert in the building and sustaining of law enforcement peer teams, and has responded to critical incidents and mass casualty scenes across the country.

Dan started his law enforcement career as a Deputy Sheriff with the Brazos County Sheriff's Department in Bryan, Texas, in 1994 and went on to serve as Chief Deputy with the United States Marshals, retiring after serving 23 years. Dan served seven years as a Deputy Marshal on the Gulf Coast Violent Offender Fugitive Task Force in Houston, TX, then spent four years as the supervisor in Waco, TX, for the Lone Star Fugitive Task Force. In 2006, he was promoted to Washington DC and was selected as the first operational Chief for the U.S. Marshals Service peer support program, the Critical Incident Response Team (CIRT). From 2009 to 2012, he served as the Chief Deputy and the appointee by Attorney General Eric Holder as the U.S. Marshal for the Eastern District of Texas. Dan returned to a headquarters senior management position in 2012 where he was Chief of the Office of Crisis Services and supervised the CIRT, the agency Employee Assistance Program (EAP), and developed the Employee Resiliency Program (ERP), which focused on emotional survival and officer wellness.

Dan is the recipient of six U.S. Marshals Director's awards, including Operational Employee of the Year in 2008. Dan has been certified in Critical Incident Stress Management (CISM) in both advanced peer and group disciplines. He served as the Director of Support Services for Concerns of Police Survivors (C.O.P.S) at National Police Week from 2006-2016. Dan has taught nationally for various programs and agencies over the past 10 years, and is an accomplished speaker and published author. He has two Bachelor's degrees from Texas A&M University, in Psychology and English, and is currently working on his Master's degree in Counseling.

Lexie Smith
Business Development Associate
12712 Park Central Drive, Suite 100



Dallas, TX 75251
214-706-5488 | 800-882-5949
LSmith@acaphealth.com
www.acaphealthworks.com

==== Privacy Statement =====

This electronic document including any attachments may contain confidential, privileged, and/or copyrighted information and is intended for use solely by the intended recipient(s). You are hereby notified that any unauthorized disclosure, copying, distribution, or use of this message is prohibited. If you received this message in error, please notify the sender by reply e-mail and permanently delete this message from your computer.

==== Legal Statement =====

Nothing contained herein shall be construed as or constitute legal or tax advice. You have the right to, and should seek the advice of tax or legal counsel at your own expense. Third Party information contained in these materials have been compiled and obtained from sources believed to be reliable and credible but no representation or warranty, express or implied, is made by ACAP HealthWorks, or any of its subsidiaries or affiliates, as to their accuracy or completeness.

Please be advised: Coverage cannot be bound without the acknowledgment of a licensed staff member.
Corporate Address: 2727 Grand Prairie Parkway, Waukegan, IA 50263