

October 2020

GENERAL MEMBERSHIP

MEETING: 12-1 October 1, 2020 Virtual

EBOARD MEETING: 12-1pm October 8, 2020 Virtual

EBOARD MEETING: 3-5pm October 22, 2020 Virtual

SCOPE

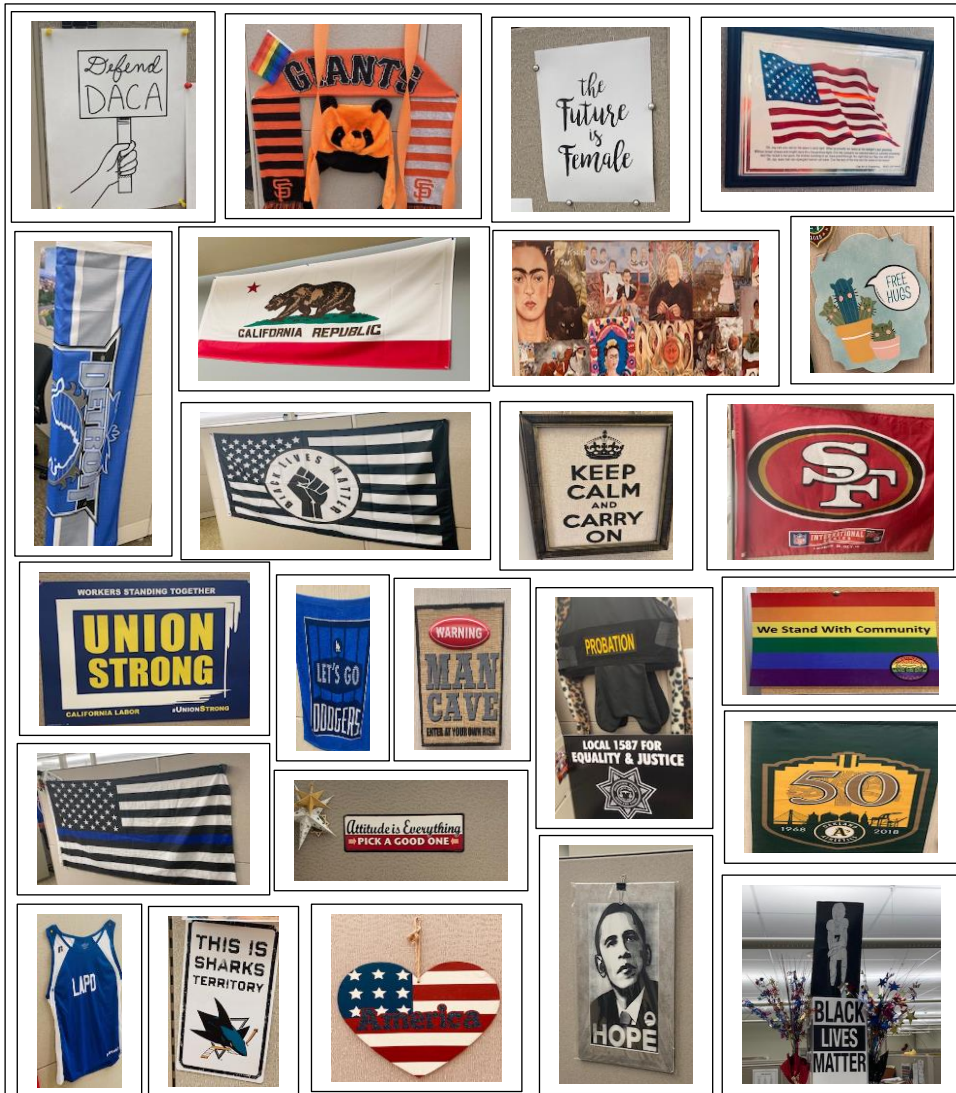


Contents

New Home	1
Hot Topics	2
General 1587 News	3
In Other News	4
Local 1587 Directory	4



Union leadership is deeply invested in fostering unity among our members. Our country is experiencing division and it is reflected in our relationships, homes, workplaces, and communities. We are diverse in a multitude of ways, which is to our benefit as diversity leads to growth and understanding. However, sometimes we forget how much we have in common when we are focused on how much we differ. Walk around your workplace, look at signs and photos on cubicles, you will see all that we have in common with each other. We have opinions and aren't afraid to express them. We condemn police brutality but we support the police who protect and serve. We don't all agree with defunding the police, but we believe black lives matter. We love our country. We are members of and support marginalized groups. We love and support our families and friends. We love our sports teams. We aren't afraid to make jokes, because sometimes humor is the only thing that helps. We are all in this together. We are law enforcement. We are Local 1587. #UnionStrong



HOT TOPICS....

SB731 Police Decertification Bill

***The State Coalition of Probation Organizations (SCOPO) opposed this bill. SCOPO asked for and received Local 1587's official letter of support.**

Forty-five states have laws in place regarding police decertification. California is currently one of five states without a law for decertifying police officers. SB 731 would have created a statewide process to revoke the certification of a peace officer following the conviction of certain serious crimes or termination from employment for cause due to misconduct. The bill would have authorized the Commission on Peace Officer Standards and Training to revoke a certificate on specified grounds, as set forth in regulations by the Commission. Additionally, the bill contained provisions that strengthened California's Bane Act, in order to prevent law enforcement abuses and other civil rights violations.

http://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB731&showamends=false

On September 2, 2020, SB 731, failed passage on the Assembly Floor. The bill was not brought up for a vote due to the legislative deadline imposed by the California State Constitution.

Police Unions Say They Want to Work with State on Reforms, But Not on SB 731

Gov. Gavin Newsom, Senate President Pro Tem Toni Atkins and Assembly Speaker Anthony Rendon were sent the letter by the Los Angeles Police Protective League and San Francisco Police Officers Association that stated the unions want to work with state officials and that they support a national database of officers fired for gross misconduct, but they said they want a "fair process" in doing so.

"We support the adoption of specific violations that constitute gross misconduct where a potential decertification process could commence," the letter stated. "We support working with all stakeholders to ensure a fair peace officer decertification process that codifies fundamental and appropriate due process for accused officers and a fair and reasonable appeals process similar to other professions in California."

For an independent decertification panel, the union said they would want it to be comprised by people "able to objectively evaluate the evidence and circumstances of each case brought before the panel." The unions stated they have repeatedly worked toward enacting policies, procedures, protocols and laws to improve police and community outcomes. SB 731, would not only establish a process for decertifying officers but also set up a statewide system that could keep them from being hired from any other law enforcement agency. The unions' letter stated. "We urge each of you to intervene in the current legislative process to stop the rush toward enacting SB 731 into law. This late-session bill is rife with negative consequences for peace officers, the government agencies that have law enforcement departments and the communities we serve."

<https://mynews1a.com/crime/2020/08/27/police-unions-say-they-want-to-work-with-state-on-reforms-but-not-on-sb-731/>

SB 823: Juvenile Justice Realignment: Office of Youth and Community Restoration

***The State Coalition of Probation Organizations opposed this bill. SCOPO asked for and received Local 1587's official letter of support.**

SB 823 Transfers the power of oversight and governing of Juvenile detention from California Board of State and Community Corrections to a newly created Office of Youth and Community Restoration.

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB823

SCOPO is concerned SB 832 will negatively impact the funding and autonomy of juvenile detention and Probation. SCOPO is concerned the bill does not provide adequate funding thus immediately undermining its success. SCOPO is concerned about the mixing of people in state custody with people in county custody as they typically require more intensive intervention, supervision, and are older. SCOPO asserted older populations mixed in with younger populations tend to undermine the treatment and rehabilitation of younger populations.

Bill still being read in the House, last amended 8/28/20

AB 1022, Peace officers: use of force.

Existing law requires law enforcement agencies (LEA), to maintain a policy that provides a minimum standard on the use of force. That policy requires officers report potential excessive force to a superior officer when present and observing another officer using force the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified. This bill would require those LEA policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined. The bill would additionally require those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined in the same manner as the officer who used excessive force. Existing law disqualifies specified persons from being a peace officer, including, among others, any person convicted of a felony. This bill would also disqualify a person from being a peace officer if they have been found by a law enforcement agency that employees them to have either used excessive force that resulted in great bodily injury or death or to have failed to intercede in that incident as required by a LEA(s) policies. Existing law makes all persons concerned in the commission of a crime, whether they directly commit the act constituting the offense, or aid and abet in its commission, principals in that crime. This bill would make a peace officer who is present and observes another peace officer using excessive force, and fails to intercede as required by the policy of their employing law enforcement agency, despite having a present ability to intercede, an accessory in any crime committed by the other officer during the use of excessive force. **AB1022 was returned to committee in July of 2020 and not currently up for vote.**

H.R.7120 - George Floyd Justice in Policing Act of 2020

This bill addresses a wide range of policies and issues regarding policing practices and law enforcement accountability. It includes measures to increase accountability for law enforcement misconduct, to enhance transparency and data collection, and to eliminate discriminatory policing practices. The bill facilitates federal enforcement of constitutional violations (e.g., excessive use of force) by state and local law enforcement. Among other things, it does the following:

- lowers the criminal intent standard—from willful to knowing or reckless—to convict a law enforcement officer for misconduct in a federal prosecution,
- limits qualified immunity as a defense to liability in a private civil action against a law enforcement officer or state correctional officer, and
- authorizes the Department of Justice to issue subpoenas in investigations of police departments for a pattern or practice of discrimination.

The bill also creates a national registry—the National Police Misconduct Registry—to compile data on complaints and records of police misconduct. It establishes a framework to prohibit racial profiling at the federal, state, and local levels. The bill establishes new requirements for law enforcement officers and agencies, including to report data on use-of-force incidents, to obtain training on implicit bias and racial profiling, and to wear body cameras.

Passed in the House, it goes to the Senate next.

- The Race and Justice committee has been renamed the Race and Equity committee as the word “equity” reflects our objectives comprehensively. We encourage all members to join a group at any time.
- Activism committee- Local 685, the Los Angeles County Probation Officer's Union reached out to say they had heard about our union's Race and Justice rally, were impressed with our efforts thus far, and were interested in hearing advice on how to move forward in this work in their own Union. The Rally had ~120 attendees and the T-shirt sales prior to the rally raised \$2,500.00 dollars. The Activism committee is now focused on how they can impact upcoming elections. They are meeting bi-weekly starting 9/28/20 on Mondays 1pm.
- The Systemic Racism committee meets Tuesday at 12pm as a larger group but also meet as division work committees; APD Fridays at 10am and JPD/JH Thursdays at 10am. They are working on policy and practice as it relates to Training, Report writing (language), Travel permits, Probation holds, EMP, Covid19, Policy guidelines, and DA filing to name a few. They recently completed a Flow chart as to how information is funneled.
- Introspection committee currently meets at 12pm on Mondays. They are currently focusing on defining terms and providing resources via the SCOPE as well as discussing the impact of current events.
- A peer support group is operating and open to black sworn Peace Officers from JPD/APD/JH, and JRF. Contact Nydia Smith for times/dates
- There are no longer any budget reduction targets for year 2020. Our administration's early meeting of the targets without pushback was a factor in avoiding additional budget reductions this Fall. It was largely Justice Departments who received budget reduction targets, and other Justice Departments put up more of a fight. Additionally, our union's work in race and equity, including having members of the Board of Supervisors (BOS) speak at our rally was also an important factor. The BOS recognize we are committed to addressing issues of race and equity, and that plays no small part in avoiding budget reductions, especially when funding law enforcement is under consideration and subject to debate.
- The arming policy is complete and is awaiting the Chief's signature.
- JH manager has been helpful in facilitating a situation in which PO(s) can interview minors in the quarantine unit of JH via telephone. Unfortunately, JPD managers have been pressuring staff to interview minors in person, even in the quarantine unit. Update pending.
- The union is meeting with Labor Relations on September 30, 2020 to discuss what is now being called the “Separation agreement,” aka a retirement package for our members interested in retiring soon.
- If you are interested in becoming a Shop Steward please submit an email of interest to Mark Murray by October 21, 2020
- Please mark your calendar for a Precinct Walk on October 17, 2020. The election is in forty something days away and we have an opportunity to flip two seats to labor friendly candidates on the Board of Supervisors, the board that makes decisions on our contracts and budgets. We still need to fight 2021 budget reductions. We would only be dropping off literature, not talking to people. We'd meet outside at the South Bay Labor Council (SBLC), all Covid19 safety precautions in place.
- SBLC requested a donation to support Committee on Political Education (COPE) in their election efforts. We typically donate \$10,000 but we donated an additional \$5,000 due to the importance of this election year and the potential impact on labor.
- We encourage our members to vote Yes on Proposition 15 for many reasons but especially because it would pour tens of thousands of dollars into the Santa Clara County budget, which would directly and dramatically help our members. We still need to fight 2021 budget reductions. We also support Proposition 22. Please see below for information on the ballot measures.

<https://www.sfgate.com/politics/article/California-2020-ballot-measures-propositions-guide-15578295.php>

The Introspection Subcommittee meets weekly on Mondays at 12:00 PM and all 1587 union members are encouraged to attend. Members of this work group continue to educate ourselves about racial and equity by discussing terms commonly used during discussions on race and then share definitions and resources in this section of SCOPE.

Suggested Website: “Anti-Racism Defined” by the CARE Collective (Calgary Anti-Racism Education)

<http://www.aclrc.com/antiracism-defined>

- A key point describing anti-racism as a positive term: “While anti-racism does call for and include public protest and vocal opposition, it comprises much more than this as well, including learning, listening, creating community collaboratively in a broad range of ways and places: role-modelling, refusal to participate/perpetuate, and so on. Anti-racism is strong, and it is compassionate.”

Microaggressions from Diversity in the Classroom, UCLA Diversity & Faculty Development, 2014:

- “Microaggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.”

Suggested Document: “Tool: Recognizing Microaggressions and the Messages They Send” (Please note not all examples reflect the beliefs of the members.)

https://www.hopkinsmedicine.org/institute_excellence_education/pdf/Microaggression%20Recognition%20Tool.pdf

Suggested Video: Eliminating Microaggressions: The Next Level of Inclusion (2019) by Tiffany Alvoid

<https://www.youtube.com/watch?v=cPqVit6TJiw>

Suggested Video: If Microaggressions Happened to White People (2015) by MTV Impact

https://www.youtube.com/watch?time_continue=1&v=KPR44g-3yEk&feature=emb_logo

Tone Policing as defined in the book So You Want to Talk About Race (2018) by Ijeoma Oluo:

- “Tone policing is when someone (usually the privileged person) in a conversation or situation about oppression shifts the focus of the conversation from the oppression being discussed to the way it is being discussed. Tone policing prioritizes the comfort of the privileged person in the situation over the oppression of the disadvantaged person.”

Suggested Video: What is White Fragility? Tone Policing? Gaslighting? (2020) by The StudyTube Project

<https://www.youtube.com/watch?v=yIQTuY4y538&feature=youtu.be>



#FIUNLEARNS

I agree that the oppression you are facing is a serious issue, but why are you so angry all the time? We can discuss this in a civil way.



But did you know this tactic is a classic case of 'tone policing'?

Tone policing is a **diversionary tactic** which is often purposely used to **shift focus from the speaker's message to the emotion behind it and how it is delivered**. Tone policing is a **silencing tactic** which requires people to **distance themselves from their emotions to be heard**. It allows **privileged people to define the terms of a conversation about oppression**. The **anger, frustration, or fear of a person who's being oppressed** is completely **valid and central to the conversation about the oppression that they face**. **Tone policing** is also often coupled with **manipulative behaviours** such as **gaslighting and conditional support**.



AFSCME Local 1587 – Probation Peace Officers' Union

2055 Junction Avenue, #232
San Jose, CA 95131
408/324-1399 www.afscme1587.org
FAX 408/456-0463
Office Manager: Amelia Taylor
info@local1587.com



President: Mark Murray, 314-3824

Vice President: Nydia Smith 499-8904

Corresponding Secretary/SCOPE: Erica DeMasi, 435-2176

Recording Secretary: Jennifer Contreras, 278-6137

Treasurer: Frank Nesci, 650/324-6515

Adult Probation Reps: Jorge Escobar, 468-1857;
Zulema Viramontes, 435-2274

Juvenile Hall Reps: James Hill, 278-5966; Antonio Walker, 278-5881

Juvenile Probation Reps: Cassandra Hosseini, 278-6183, Victoria Contreras-Wolfe 408-268-6076

APD Stewards: Perla Arellano 408-535-4248; Jose Lepe 408-771-4851; Melissa Rice, 435-2003; Bernie Rocha, 201-0577

JH Steward(s): Joel Gonzalez, 278-5820; Rita Gonzalez, 278-Horlando Guzman, 278-5829; Anthony Souza 891-8100; Alexandria Peyton, 278-5881

JPD Stewards: Mayari Castro, 278-6118; 278-6076; Dustin Eng, 278-6085; Rashad Jones, 793-8849; Lorena Chavez 278-6056 or 832-8255

General Counsel: Lou Silver, 456-5076, Emergency only: 592-2904

Union Office: Office Manager Amelia Taylor, 324-1300

The information included in this newsletter is provided as a service to AFSCME - Local 1587 members and does not necessarily reflect endorsement by AFSCME International. Please submit suspected omissions or errors to the editor's attention (see above). Question, comments, feedback encouraged.

"We don't need lines," he said. "What we need is unity."

Law enforcement officers and supporters who display the thin blue line flag, on patrol vehicles, uniforms and face masks view it as a show of pride and respect for a dangerous profession that puts officers' lives on the line. The idea is that police are the force that stands between law and order and chaos, the force that safeguards society against disorder. Critics, however, believe the symbol creates a sense of division between police and the communities they serve. Some say the concept fails to recognize the community's role in public safety and the importance of community-police relations. At a time when people across the country have taken to the streets for weeks to protest police brutality and demand reform, it's a symbol that some see as polarizing.

The flag itself emerged around 2014 as the Blue Lives Matter movement grew in prominence. The movement was apparently intended as a response to Black Lives Matter and grew out of a series of instances across the nation in which police officers were killed in the line of duty. Controversy followed when the flag was appropriated by White supremacists and neo-Nazis who flew it among a sea of Confederate flags during a rally in Charlottesville, Virginia in 2017. Participants in the "Unite the Right" rally organized to protest the city's plans to remove a statue of Confederate General Robert E. Lee. The event turned deadly when a man plowed his car into a group of counterprotesters, killing a woman. More recently, in May of this year, San Francisco police officers responded to a housing protest wearing face masks emblazoned with the thin blue line flag — a display that drew immediate push back. According to news reports, police Chief Bill Scott ordered officers to no longer wear the union-provided masks, citing concerns that they "may be perceived as divisive or disrespectful." Jack Schaeffer, president of the San Diego Police Officers Association, said he views the thin blue line as nothing more than a show of pride and support for law enforcement. "It's not meant to be about hate" or create a divide.

Michael Jenkins, a criminal justice professor, said he believes society has generally accepted the thin blue line with little pushback in part because many members of the public have held police in high regard over the years. Given the current public conversation surrounding policing, he believes it's time to reconsider the thin blue line. "In the 21st Century, the police that we need is very different." He said that while the thin blue line has been adopted as a form of solidarity, at its root is an idea that separates the public and police. Even as law enforcement started to view itself as part of the community under the philosophy of community policing, the thin blue line's influence on the way police officers view themselves generally remained unchanged.

Bishop Cornelius Bowser, co-founder of the Community Assistance Support Team, which aims to prevent violence in the streets of San Diego, shared a similar opinion. He worries that the concept of the thin blue line influences police culture and, in turn, affects the way communities are policed, especially Black communities that so often are criminalized, he said. "When they come (into our communities), they see us as criminals, they see us as threats," he said. "They're there as warriors, as an occupying force." He said police need to build "bridges of trust" with the communities they serve. And the key, he said, is changing police culture. "We don't need lines," he said. "What we need is unity."

<https://www.msn.com/en-us/news/us/the-thin-blue-line-the-history-behind-the-controversial-police-emblem/ar-BB16odCg>

Unions threaten work stoppages amid calls for racial justice

In a statement first shared with The Associated Press, labor leaders who represent teachers, autoworkers, truck drivers and clerical staff, among others, signaled a willingness Friday to escalate protest tactics to force local and federal lawmakers to take action on policing reform and systemic racism. They said the walkouts, if they were to move forward with them, would last for as long as needed.

"The status quo of police killing Black people, of armed white nationalists killing demonstrators, of millions sick and increasingly desperate is clearly unjust, and it cannot continue," the statement says. It was signed by several branches of the American Federation of State, County and Municipal Employees, the Service Employees International Union, and affiliates of the National Education Association.

The broader labor movement has been vocal since the May 25 killing of George Floyd, a handcuffed Black man who died after a white police officer pressed his knee into Floyd's neck for nearly eight minutes during an arrest over counterfeit money. The death of Floyd in Minneapolis set off an unprecedented surge of protests and unrest from coast to coast this summer. In July, organized labor staged a daylong strike with workers from the service industry, fast-food chains and the gig economy to call out the lack of coronavirus pandemic protections for essential workers, who are disproportionately Black and Hispanic.

Although some unions have a history of excluding workers on the basis of gender and race, the marriage between the racial justice and labor movements goes back decades. That alliance was most prominently on display during the 1963 March on Washington for Jobs and Freedom, which featured the visions of the Rev. Martin Luther King Jr. and Rep. John Lewis and was organized by A. Philip Randolph, a Black icon of the labor movement. Today, Black workers are more likely to be unionized than any other segment of the workforce as a result of decades of collaboration between labor and civil rights activists, said New York University professor and civil rights historian Thomas Sugrue. "That connection has only intensified because of the importance of workers of color, particularly African Americans, in the labor movement," Sugrue said.

Public and private employers are faced with a "Which side are you on?" moment due to growing support for the BLM movement, said Maurice Mitchell, national director of the Working Families Party and a leading organizer in the Movement for Black Lives, a national coalition of 150 Black-led organizations. Mitchell said. "This movement is spreading. We've been on the streets consistently, we're building on the electoral front, and now we're seeing this conversation at the highest levels of labor."

<https://apnews.com/02da00cb921ec61a69d8a30c9ff56244>