



The Santa Clara County Sheriff's Office is dedicated to the preservation of public safety by providing innovative and progressive service in partnership with the community.

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Laurie R. Smith, Sheriff

COUNTY OF SANTA CLARA

OFFICE OF THE SHERIFF

## Message From the Sheriff

As you all know tragedy has struck our department and the community we serve. On March 9, 2008, Deputy James Council was on patrol traveling on Stevens Canyon Road in Cupertino. At approximately 10:25 A.M., his vehicle crossed the centerline and struck with three bicyclists. The California Highway Patrol is investigating the accident at this time, and we are all awaiting their findings. As a family we must remain strong, but not lose sight of the fact that two lives were lost, and many more have been affected by this tragedy. This accident has been difficult for us all. Please stay strong and keep Deputy Council, his family and the family and friends of Mathew Peterson, Kristanna Gough and Christopher Knapp in your hearts and prayers. During these difficult times, it is paramount that we continue to deliver the level of customer service that our community has come to expect. I am very proud of each member of our agency, and the way you have responded. In the face of these recent sorrows, we remain resilient, and continue to meet each challenge with dedication and professionalism.



Sheriff's Headquarters

### WE MUST NEVER FORGET



PEACE OFFICERS MEMORIAL IS  
MAY 16, 2008

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**"Finish each day and be done with it. You have done what you could. Some blunders and absurdities crept in. Forget them as soon as you can. Tomorrow is a new day. You shall begin it serenely and with too high a spirit to be encumbered with your old nonsense."**

**Ralph Waldo Emerson  
1803-1882**

## **Remembering Reserve Deputy Scarlette Blomquist**

**By: Sergeant Dave Cobble**

On March 1, 2008, Reserve Deputy Scarlette Blomquist lost her three-year battle with cancer. She was sworn in as a Reserve Deputy Sheriff on May 5, 1996. During her service with the Sheriff's Office Scarlette received numerous letters of appreciation from both the agency and community.

Scarlette often volunteered for special assignments and community events to ensure proper representation in the public forum. She worked with the Regional Auto Theft Task Force (RATTF) on undercover operations at the county fairgrounds and was on stand-by staged at the fairgrounds for the Y2K events of 2000. Prior to her passing, Scarlette was working at Stanford Department of Public Safety as an Administrative Assistant to Chief Laura Wilson.



Scarlette's passing is a huge loss to the Sheriff's Office as well as Stanford DPS.

## **Remembering Former Deputy Donna Calderone**

**By: Captain Jensen**

With regret, I share the news of the passing of retired Deputy Donna Meyers at the age of 51. Donna joined the Sheriff's Office in 1982, and retired in 1994. She worked in the Jails, in Courts, in Parks, and in Patrol. Donna faced many challenges after leaving the Sheriff's Office. She died on March 2, 2008 - not long after undergoing surgery.

Donna leaves behind her Dad, 3 children (2 sons and 1 daughter), 4 sisters and 2 brothers (1 brother and 1 sister at the D.O.C.), and numerous nieces and nephews. Friends and family spoke of Donna's love for her family and children, and her pride in their sporting endeavors and personal achievements. They also mentioned how much she really enjoyed getting away to the ocean and the beach at Santa Cruz. She will be remembered fondly for these things - and also for the years of service that she provided to the Sheriff's Office, and the people of Santa Clara County.

# There is no such thing as a routine pat-search

By Charles Gillingham

If you get on the stand and testify that “in my training and experience...for officer safety reasons...pat down everyone I contact...everytime” any evidence found during a “routine” pat search is going to be suppressed.

Officers are in the habit of pat searching everyone they contact. This habit is illegal. You must have independent articulable facts that justify your actions. While most pat searches are justified, officer’s testimony frequently provides flimsy evidentiary support. You have to know what the standard is to conduct a pat search. As important, is your knowledge of facts that justify a pat search.

## **PAT SEARCH STANDARD: SPECIFIC FACTS**

The pat search must be based on specific facts that a suspect was armed or dangerous. A standard procedure, feeling, hunch, or guess are grounds for suppression.

The test to determine whether an officer believes that a detained suspect is armed and dangerous is that of the “reasonable officer.” The court looks at whether it was reasonable for an officer to believe that the suspect is armed or dangerous.

The court can consider the totality of the circumstances. The court will look at your training and experience. What were you taught? What has happened to you on the street?

What did you believe was going on based on all of the facts known to you at the time of the stop?

## **FACTS THAT JUSTIFY A PAT SEARCH**

If you want to avoid coming to court and testifying in a suppression motion, document in your offense report those facts which you believe support your decision to pat search a suspect. The crime being investigated is crucial. Courts repeatedly have stated that investigation of the following offenses almost always justify a pat search: narcotics offenses; an investigation of a detainee for a violent crime will warrant a pat search; burglary, because burglary tools can often be used as weapons; and a pursuit will justify the pat down of all occupants of the car. Known gang affiliation and known criminal history for violence or weapons offenses will almost always justify a pat search.

Problems arise, of course, when you choose to pat a detainee down when you make contact on the street or during a car stop for a vehicle code violation. Those situations require articulable facts that justify a pat down. Continued on page 4

# There is no such thing as a routine pat-search

Continued from Page 3...

## A BULGE AND OTHER RATIONALE

A bulge in the suspect's clothes will justify a pat down especially if you recognize it to be consistent with the size and shape of a weapon. The location of the bulge will also be taken into consideration, especially if the detainee could easily access the location. If the suspect is taking pains to hide the bulge, you may also pat search that individual. Obviously, if the suspect tries to retrieve the item, a pat search is justifiable. The refusal of the detainee to comply with commands also justifies a pat search.

The detainee's mental state, whether she is agitated, hostile or excessively nervous may provide cause to pat search. Realize however, that the exact nature of your observations should be documented.

The location of your contact and the environmental conditions will also be important in a determination of your ability to pat search, but location alone does not provide sufficient justification to pat search. The court will also evaluate whether the area was well traveled or desolate and whether the stop took place at night. The court will also consider how many detainees there were, particularly if they outnumber the officers, which if the case, will help justify a pat search.

It is crucial that officers understand that they cannot legally pat search everyone they come into contact with. Prosecutors cringe when they here or read, "I pat searched the suspect for officer safety purposes." While that may be the reason to pat search, it does not provide the factual basis for doing so. Common sense, thorough documentation and observation, will provide the basis to pat search and insure officer safety.

Article Courtesy of Third Degree Communications. For further information on their courses or training information please visit their web-site at [TDCORG.com](http://TDCORG.com)

## Training Information

Below you will find a list of in house course that will be offered through the Personnel and Training Division. For additional information and future course please refer to the Personnel and Training Calendars icon on your desk tops.

<b>Date</b>	<b>Course</b>	<b>Location</b>	<b>Hours</b>
3/25	CPR / First Aid	South County Sub-Station	4
4/01	H/Q 10-Plan Training	Headquarters	10
4/04	W/V 12-Plan Training	West Valley	10
4/09-4/10	SLD (Final Session)	H/Q Auditorium	16
4/09-4/11	AR-15 Rifle	S/O Range	24
4/15	Force Options / Driving	Alameda Country	8
4/16	CPR / First Aid	Hall of Justice	4
4/25	POBAR Update	H/Q Auditorium	8
4/29	W/V 12-Plan Training	West Valley	10
4/29	CPR / First Aid	H/Q Squad Room	4

## Employee Recognition



**“A man does what he must - in spite of personal consequences, in spite of obstacles and dangers and pressures - and that is the basis of all human morality.”**

**John F. Kennedy**

**1917-1963**

On April 10, 2008, the Santa Clara Chapter of Mothers Against Drunk Driving will be honoring the 2007 recipients of the prestigious 23152 Pin. The recipients of the Silver Pin (5 On-View Arrests) from the Sheriff’s Office are; Deputy Sanford Fisher #1915, Deputy Stephen Lopez #2009 and Deputy Todd Miyabara #1957. Those deputies that will be honored with the 23152 Black Pin (5 DUI Warrant Arrests) are: Deputy Carl Sims #1664, Deputy Jeff Taylor #1760 Deputy Manuel Rey #1712, Deputy Melanie Reclusado #1838, Deputy Javier Moreno #1874 and Deputy Michael Damigo #1690. Please join me in congratulating these deputies on a job well done.

### Headquarters Patrol Deputies Working Hard

**By: Captain Rode**

On Tuesday, March 11th, our HQ patrol received a call of a very serious crime that had occurred in a motor vehicle as it passed through the San Martin area. The only problem our employees had in solving the crime and putting the bad guy in jail was that the victim was reporting the crime at the Los Altos Police station, and both the suspect and the vehicle containing the evidence was in our Central District. In spite of the obvious geographical challenges to this scenario, Deputies Nathan Davis, Walter "Wally" Macedo, Brendan Omori, and Tony Hickman, along with Sergeant Alanis, completed the investigation, seized the car and arrested the suspect as he left for work several hours after they received the call. Although this may seem like regular police work, the fact that everyone joined in to make sure the necessary evidence was obtained, the suspect was located, his residence watched until he left for work several hours later, and the proper warrants were obtained to seize the vehicle and obtain critical evidence, proves that by working together we can solve even the most challenging crimes.

On Monday March 3rd, HQ patrol conducted a parole search on one of our more interesting residences in Central. Deputies Puente, Lee, Roggia and Stenderup teamed up and put together a plan to secure the residence and complete the search. In the process of searching the residence they located and arrested three residences for Parole Violations, Possession of Illegal Drugs for Sales and Being Under the Influence. A search of the residence turned up over 50 grams of methamphetamine that the subjects were possessing for sale. Not only does this point out the benefits of the team concept, but the residents in the area are happy that they can sleep easy.

## PUBLIC MAILBOX

Sheriff Smith (via the public e-mail system)

Deputy Torres responded to a hit and run accident on the morning of Feb 27 (bicycle Vs car). I was the victim. Deputy Torres collected all the accident details in a calm professional manner, and shortly afterwards caught the driver and passenger. I am very thankful for his good work.

Sincerely,  
Larry Klein

To Santa Clara County Sheriff Dept,

Hello my name is Shayne Chieng and I was one of the applicants at the February 16th, test for deputy sheriff. I am writing to let you know, what a fine law enforcement agency the Santa Clara County Sheriff's Office is. On the day of the test, I was really nervous and didn't know what to expect. Your personnel made it comfortable and fun. I was able to enjoy the whole entire test and the day went fairly easy. The Santa Clara Sheriff's Office has great deputies and I wanted to say THANK YOU for the opportunity. I look forward to receive the results, even if I come up a little short, I will push myself harder become a better applicant for future test. My main goal is to become Santa Clara County Deputy Sheriff. Have a good day.

Thank you

Shayne Chieng

## THE LIGHTER SIDE

A true story from Orange County CA.

A man goes to a party and has too much to drink. His friends plead with him to let them take him home. He says no - he only lives a mile away. About five blocks from the party the police pull him over for weaving and ask him to get out of the car and walk the line. Just as he starts, the police radio blares out a notice of a robbery taking place in a house just a block away. The police tell the party animal to stay put, they will be right back, and they run down the street to the robbery. The guy waits and waits and finally decides to drive home. When he gets there, he tells his wife he is going to bed, and to tell anyone who might come looking for him that he has the flu and has been in bed all day. A few hours later the police knock on the door. They ask if Mr. X lives there and his wife says yes. They ask to see him and she replies that he is in bed with the flu and has been so all day. The police have his driver's license. They ask to see his car and she asks why. They insist on seeing his car, so she takes them to the garage and opens the door where they find : the police car, lights still flashing.

**"I am not interested in power for power's sake, but I'm interested in power that is moral, that is right and that is good."**

**Dr. Martin Luther King Jr.**

**1929-1968**

## Reserve Round-up

### Traffic Enforcement Team

By: Captain Rode

Over the last several months the Sheriff's Office Reserve Unit has been working hard on the development of a specialized traffic unit made up of Reserve Deputies. The unit was deployed for the first time last Friday night in the San Martin area. Not only did they all have a great time working as a team focusing on a specific problem, but combined they issued 16 citations and impounded one car. From the perspective of the Headquarters Patrol Deputies, this deployment was a great success and helped us all look good in the eyes of the citizens of San Martin... Great job Sergeant Cobble, Reserve Commander Frank Dutra, and all of the Reserves who worked the detail.

**“There is nothing routine about a job that requires you to wear a ballistic vest and carry a firearm.”**

**Source Unknown**

### Reserves Police Morgan Hill

By: Sergeant Cobble

On Friday, January 18, 2008, the Morgan Hill Police Department requested the assistance from the Sheriff's Office in order for the entire department to attend a memorial service for one of their officers on Saturday the 26th. The detail was to begin at 0600 hours and end somewhere around 2359 hours that same day.

The Sheriff's Office immediately agreed to help and contacted the Reserve Division requesting as many volunteers as possible in order to assist with calls for service. The Reserve Command Staff began making calls in order to establish a team of reserves willing to work the detail. If a reserve agreed to work the detail, they were committed to an entire shift.

Once again, our Reserve Division answered the call and responded accordingly. The detail was covered and thanks to the reserves, a huge success. Not only was the detail a success, it helped in forming a stronger relationship between the City of Morgan Hill and the Sheriff's Office.

We commend you for your commitment, dedication and willingness to help our fellow peace officers when needed.

## A Lesson in Salary History

By: Sergeant Sprain

Back in 1982, when I started with the Sheriff's Office, I was receiving a whopping \$12.89 an hour. I about doubled my salary from my civilian job and thought that life couldn't get any better. Well I'll be the first to admit that I was wrong. Our salaries have improved substantially and have stayed competitive, if not better, than many other departments. Here is a brief footnote in our history of how our pay has increased over the last 150 plus years.

With the conception of our office in 1850, both the sheriff and his deputy, when one was needed, made about \$5 a day. Due to budget restraints on the county, dropped to \$3 in late 1854.

In 1865, the sheriff made a staggering \$4,804 for the year or about \$2.23 an hour. This amount takes into account fees paid to the sheriff for transporting prisoners to the asylum in Stockton and San Quentin State Prison. The sheriff's salary decreased to \$4000 a year by 1878. An undersheriff pulled in about \$150 a month or about .86 cents an hour while a deputy made .57 cents an hour. By the turn of the century, not much happened to increase the pay for the sheriff and his deputies. By 1915, the sheriff was still making \$4000 a year and the deputies pay only increased to .66 cents an hour.

It wasn't until the 1950's that the sheriff's office saw a real increase in pay. In 1951 Sheriff Hornbuckle brought home \$7,200 a year. Nowadays a deputy will bring home more than that in a month. Undersheriff Bennett made about \$525 a month while a deputy pushing a patrol car or working the jail made \$295 a month or \$1.70 an hour.

Salaries more than doubled by 1964. Sheriff Gibbons now made over \$19,000 a year and Under Sheriff Prelsnik made almost \$11,000 a year. A deputy now made \$3.73 an hour, bringing home more than \$7,700 in a year.

Eleven years later, Sheriff Geary's base salary was \$35,700 for 1975. His Undersheriff, Tom Rosa, wasn't far behind at \$30,000. Deputies almost doubled their pay from 1964 now making \$7.31 an hour or about \$15,000 a year.

The year I was hired, 1982, a deputy made \$12.89 an hour or about \$26,800 a year, not including all the overtime you could handle. I don't have any records on the sheriff's salary, but a captain was paid just over \$20 an hour or about \$41,600 a year.

Only eight years later in 1990, a deputy was making more than that captain made in 1982. A deputy's base pay was now \$20.46 an hour or \$42,500 a year. The sergeants and lieutenants weren't doing so badly either. A sergeant made \$23.71 an hour while the lieutenant was paid \$27.99 an hour.

Fast forward ten more years to 2000. Deputies now brought home almost \$30 an hour, while sergeants pay had increased to \$34.63 and lieutenants to \$40.89 an hour. Last year, 2007, a deputy sheriff's salary was raised to \$40.66 an hour. That's only twenty-three cents an hour less than what a lieutenant made just seven years earlier.

I can only imagine what our pay will look like in another ten years. Will a deputy now be making over \$50 an hour? It's not that far fetched. But I'm positive that no matter what we'll be making, we'll always be happy with more!

COUNTY OF SANTA CLARA  
OFFICE OF THE SHERIFF  
55 W YOUNGER AVE  
SAN JOSE CA 95110



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**Upcoming Events:**

**March 29, 2008 at 7:00 p.m.**

**Annual DSA Basketball Game, Sheriff's Office vs. the San Francisco 49ers and Oakland Raiders at the Independence High School Gym. 1776 Educational Park Drive, San Jose, 95113.**

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**April 9-10, 2008 8:00 a.m.— 5:00 p.m.**

**Final days for this session of the Sheriff's Leadership Development Course. The participants will be presenting their final projects to the Command Staff in the Sheriff's Auditorium at Headquarters.**

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**April 10, 2008 at 12:00 p.m.**

**The Santa Clara Chapter of the Mother Against Drunk Driving (MADD) will be hosting their annual banquet recognizing local officers for the enforcement efforts. Eight deputy sheriffs will be recognized this year (for further information please refer to page 5 of this newsletter).**

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**April 11, 2008 at 6:00 p.m.**

**Sheriff's Office Annual Retirement Dinner at Silver Creek Valley Country Club. Please R.S.V.P. by March 28. For more information call 808-4900.**

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**May 16, 2008 at 12:00 p.m.**

**Peace Officers Memorial in front of the Sheriff's Office, 55 W. Younger Ave, San Jose 95110.**

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**The Sheriff's Office Newsletter was created to ensure that employees and retirees have a source of information within the agency. Your letters regarding personal and professional matters, to include public safety matters are welcomed by the 15th of every month. We would like to hear from retirees as well. Suggestions for improvements or ideas should be referred to Sergeant Don Morrissey at (408) 808-4905.**