

# THE VOICE

Newsletter Summer 2014

CALIFORNIA SEXUAL ASSAULT INVESTIGATORS ASSOCIATION



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## Message from the CSAIA Board of Directors

Our spring 2014 conference was well attended in Shell Beach, CA. The conference was extended a full day and was well received by law enforcement, prosecutors, social workers, victim advocates and forensic nurses. Due to the positive feedback, we will offer three and a half days of training again for spring 2015. The member participation and positive evaluations from our membership has supported this decision. There will be an increase in tuition to cover the cost of presenting the additional day.

2014 was an election year. The CSAIA Board of Directors welcomed newcomers Rick Barton and Dustin Bruzee. Margie Jessen, Tim McFadden, Roberta Hopewell, Richard Nickel, Karen Sherwood, Steven Welch, and Karla Beler will continue to serve on the board. The CSAIA Board of Directors is dedicated to bringing training and support to sexual assault investigators and forensic nurses throughout the state.

The Board of Directors is currently working on scheduling One Day training opportunities in Fall 2014. Unfortunately, due to budget restrictions and lack of participation, CSAIA will not sponsor a 2014 Fall Training Conference. Please watch the CSAIA web site for updates on dates and locations for One Day training opportunities.



2014 President Margie Jessen and 2014 Treasurer Tim McFadden enjoyed the conference.

## 2014 Spring Training Shell Beach, CA

The Cliffs Resort was the site for the California Sexual Assault Investigators Association 2014 Spring Training. The training was a total success with a variety of expert instructors educating on topics such as: Legal Updates, AB109, Crime Scenes and Investigation, Interviewing the Traumatized Victim, Testifying in 290 Cases and Interview and Interrogation of Juveniles in Crimes against Children Cases. Julie Brand presented a dynamic presentation on her personal experience and The Best Kept Secret: Mother Daughter Sexual Abuse. Colonel Bill Carson presented a full day of varying topics including: Women Who Molest Children, Groomers and Grabbers: Two Very Different Types of Child Molester and a Case Study of a Child Abductor. The Cliff's Resort was a wonderful experience, offering delicious food and fabulous accommodations. The conference was a perfect opportunity for team building between various agencies from throughout California and a time to gather and share knowledge about handling sexual assault investigations. We look forward to next year's 2015 Spring Training.



Board of Director Roberta Hopewell presented Riverside County Deputy District Attorney Sharon Schuster with a gift from CSAIA members thanking her for presenting at the Spring 2014 conference.

## 2014-One Day Training

Your Board of Directors is busy organizing several one day training events for 2014. Check [www.csaia.org](http://www.csaia.org) for future classes offered in 2014. Please email the board of directors if you have suggestions for one day training topics.

## CSAIA News

On April 10, 2014, CSAIA sponsored and hosted an information booth for training provided by the RCRMC Foundation in Riverside, CA at the Crestmore Manor. The two day event was titled "It's Time...To Talk about It!" and was attended by 230 participants. Law enforcement, forensic nurses, prosecutors and social workers attended.





## 2015 CSAIA Spring Training Cliff's Resort in Shell Beach

March 10 – 13, 2015



### Spring 2015 Topics:

Please notify the CSAIA Board of Directors of topics and suggested instructors for 2015.



## Save the Date

## 2015 CSAIA Spring Training



The 2015 Spring Training Conference will be March 10-13, 2015 at the Cliff's Resort in Shell Beach, CA.

We are looking forward to seeing everyone at the 2015 Spring Training Conference.

Your Board of Directors is currently discussing the agenda of instructors for the 2015 Spring Training Conference. A training flyer will be published. We hope that you will submit your training request early and register as soon as registration opens in December 2014.

For CSAIA attendees the rooms at the Cliff's Resort during the training conference have been discounted to \$125.00 per night, plus taxes, for single or double occupancy. You will need a Conference Code in order to make a reservation. The Conference Code will be included on the 2015 Spring Training Conference flyer—watch for the flyer and make your reservations early!!!

If you have any other questions, please feel free to contact Steve Welch at 951-290-8261 or [swelch@csaia.org](mailto:swelch@csaia.org).



Jim Nawoichyk and Mary Murphy presented Interview and Interrogation of Juveniles in Crimes against Children Cases.



**CSAIA hosted the 2014 Spring Training Conference** at the Cliff's Resort in Shell Beach, CA on March 11-14, 2014. The conference was well attended with over 159 members participating. The line-up of speakers was well received. The feedback from attendees about the conference and instructors was positive and valuable.

*-“This is my third year attending. By far the topics were the best. The overall subject matter was outstanding. Thank you CSAIA staff-Board for hosting a terrific and overall wonderful conference.”*

*-“Great information, great speakers, great conference.”*

*-“Great location! Awesome conference and instructors!! Very well organized, all around great experience, I will be back. Thank you!”*

*-“Huge thanks to Julie for sharing her story. Her training was a real eye opener! Thank you for sharing the book, “When I was little like you.” This will be a great book to use in our juvenile detention center.” (From an evaluation of Julie Brand's presentation on The Best Kept Secret: Mother Daughter Abuse.)*

*-“The very thing I asked for seeing/hearing interviews of suspects. Phenomenal, loved this segment.” (From an evaluation of Bill Carson's presentation on The Michael Devlin interviews: A Case Study of a Child Abductor.)*



CSAIA Members enjoying the conference.

## 2014 Spring Training Conference Raffle Winners

One lucky member was awarded tuition and lodging for a 2015 conference.

**Congratulations to all of the winners!**



The entire proceedings from the raffle were donated to the Children's Assessment Center, San Bernardino, CA.

**Thank you to all who participated!**

### The Children's Assessment Center of San Bernardino

"The Children's Assessment Center of San Bernardino, a public/private partnership between San Bernardino County and Loma Linda University Children's Hospital, provides forensic interviews and evidentiary medical examinations to assist in the evaluation of child abuse allegations. We coordinate services in a child-focused atmosphere, thus reducing trauma to child victims and their families."

Roberta Hopewell presented the donation check to the Children's Assessment Center.



Julie Brand, Bill Carson and Dan Scott presented at the conference.





**Our training is recognized by POST, BRN and MCLE - You get credit for attending!** All courses presented by the California Sexual Assault Investigators Association are POST Certified. For peace officers, this means you as an officer get POST Continuing Education Credit for the time you attend the class! CSAIA Courses are also recognized by the Board of Registered Nurses and for Mandatory Continuing Legal Education for attorneys. All continuing education credit requires certification by the presenting organization.

The POST Administrative Manual (PAM) requires each student sign in on the POST Course Roster along with their POST ID number (not your social security number). *Students may not sign the Roster for another student.*

POST further requires that the Course Presenter (CSAIA) keep an attendance roster for every day of training, verifying each student's attendance. Within 10 days of the end of the course, the CSAIA must submit the Course Roster to POST, documenting each student's total hours.

Per the PAM, students may miss up to 10% of the class for "valid reasons" (e.g. work related callouts, court appearance, etc.), or other "extraordinary circumstances." POST may require the Course Presenter (CSAIA) to obtain supervisor verification for any time missed, and/or POST themselves may contact the student's employer to verify that the missed time meets these criteria.

Please be aware that the CSAIA could lose its status as a POST Course Presenter if we do not ensure all of these regulations are met. We appreciate your cooperation and understanding!





Roberta Hopewell presented the 2012 Patrick Sullivan Investigator of the Year Award to retired Los Angeles Sheriff's Department Sgt. Dan Scott. Dan Scott presented "Interviewing the Traumatized Victim: A Cognitive Approach" at the spring 2014 conference.

## Nominations are being accepted for the CSAIA 2015 Achievement Awards

### Awards:

- The Michiel Hyder Sustained Achievement Award
- Sustained Achievement Award in Forensic Services
- Legislator of the Year Award
- Outstanding Agency of the Year Award
- The Patrick Sullivan Investigator of the Year Award

*Please nominate someone who has affected change, increased victim awareness, made a difference in their community as it relates to the Sexual Assault Response Team concept, overcame obstacles to investigate, close or prosecute a case; supported work toward protective legislation or has contributed to the overall forensic science in the investigation of sexual assault cases. We want to recognize excellence!*

CSAIA presents Sustained Achievement Awards at CSAIA conferences. Please think of recipients for the above awards and submit your nominations. All nominations need to be submitted to **Roberta Hopewell** by **January 20, 2015**. All nominations must include a nomination form as well as a letter describing the nominee and his/her qualifications.

**Please visit the web site at [www.csaia.org](http://www.csaia.org) for nomination forms.**



## Membership Corner



Richard Nickel, Membership Director

We are currently **385** members strong! If you have any recruitment ideas or would like to encourage members of your team or organization to become members of CSAIA, please contact our Membership Coordinator Richard Nickel. Richard can be reached at [richard.nickel@csaia.org](mailto:richard.nickel@csaia.org) or [boardmembers@csaia.org](mailto:boardmembers@csaia.org).

### Membership Status

**Check out your membership status at**

[www.csaia.org](http://www.csaia.org).

**All memberships are now based on an annual renewal from the date you joined the Association. Membership is \$50.00 a year.**

### Training Ideas??

CSAIA is always looking for new and innovative ideas in training to bring to membership.



If you have any ideas for our Conference Training or One-Day Training, please contact: [boardmembers@csaia.org](mailto:boardmembers@csaia.org)

## Members **make the difference!** Join today!

There are many benefits simply from belonging to your association. The greatest benefit to joining CSAIA is the networking and camaraderie that takes place between members. As a CSAIA member, you have access to many on-line resources to enrich your professional career as well as the connection with law enforcement and forensic nurse specialists who have a real passion for what they do.

### Website:

#### Resource's area

The resources area provides Presentations, downloads, interesting articles, and other Web sites that are relevant to you. It is driven by Members postings, which means the more items that are posted; the more resources will be shared. Examples of resources in this area are: 290 Information, Case Law, Legislation, Los Angeles County District Attorney's Office One Minute Brief by Devallis Rutledge and lots more.

#### Training Events

Education and Training programs will help you build new skills and reinforce your own experiences and knowledge.

#### E-Mail Members

The California Sexual Assault Investigators Association email system allows members to exchange information. Members who are current can send, can share ideas, get information, and ask questions on important issues. **Each email sent is stored for members to view on-line at a later date.**



# California CaseALERT

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## Riverside County District Attorney's Office

April 10, 2014

### **DCA – a registered sex offender who commits a felony cannot be committed to local custody.**

[People v. Sheehy](#) (DCA) a registered sex offender who commits a felony cannot be committed to local custody. Here, defendant was required to register as a misdemeanor sex offender. Defendant pleaded guilty to a felony petty theft. The judge committed defendant to the Riverside county jail. DCA reversed; generally under the Realignment Act, "low-level" felony offenders can now serve their sentences in local custody rather than state prison. However, prison sentences must be imposed if a defendant has a current or prior strike or "is required to register as a sex offender [[1170\(h\)\(3\)\(C\)](#)]." The statute is unambiguous and the exception for sex offenders applies even if the current conviction is not based on a sex offense. "The fact that a defendant must register as a sex offender demonstrates that he poses a significant risk to society, regardless of whether he is required to register based on a prior or current conviction."

## Riverside County District Attorney's Office

April 25, 2014

### **DCA – a defendant must continue to register as a sex offender even though the underlying conviction is later set aside.**

[People v. Hamdon](#) (DCA) a defendant must continue to register as a sex offender even though the underlying conviction is later set aside. Here, defendant pleaded guilty to sexual battery and infliction of harm on a child. His sentence included sex offender registration. After defendant completed his jail term, the court set aside defendant's guilty pleas and dismissed the complaint [[PC 1203.4a](#)]. Defendant argued that he should also be relieved from having to register as a sex offender. DCA disagreed; when a court grants a PC 1203.4a petition a defendant is thereafter released from all "penalties and disabilities" resulting from the conviction. But mandatory sex offender registration is not imposed as an additional punishment. It is a nonpenal restriction adopted for the protection of public safety and welfare. "In sum, the vacation of [defendant's] guilty pleas . . . does not relieve him of the [section 290](#) registration requirement."

## Riverside County District Attorney's Office

April 28, 2014

### **DCA – a defendant who commits a lewd act on a child can petition to no longer register as a sex offender.**

[People v. Tyre](#) (DCA) a defendant who commits a lewd act on a child can petition to no longer register as a sex offender. Here, defendant pleaded guilty to six lewd acts against a child. A judge later denied his petition to be relieved of his "lifetime" duty to register as a sex offender ([certificate of rehabilitation and pardon](#)). DCA reversed; under the Equal Protection clause, a state cannot classify similarly situated groups unequally. Here, a defendant who engages in [sexual acts with a child who is 10 years of age or younger](#) can petition. But a defendant who commits [a lewd act upon a child under the age of 14](#) cannot petition. It is unconstitutional to "permit a person convicted of a much more serious crime to petition for a certificate of rehabilitation and bar another person from so petitioning if he or she is convicted of a lesser crime."

*[From the dissent: "The court's decision today will frustrate the Legislature's stated intent and will allow thousands of serious sex offenders to escape their lifetime parole and sex offender registration obligations. It is estimated that in 2011 and 2012 alone, almost 1,400 persons were committed to state prison for offenses that could be affected by the court's decision today."]*

Police, prosecutors, students, and others can receive the California CaseALERT. Just send an e-mail with the word "subscribe" in the subject line to: [mareilly@rivcoda.org](mailto:mareilly@rivcoda.org). Your questions and/or comments are welcome. California CaseALERT may be reproduced and distributed if attributed to the Riverside County District Attorney's Office. Copyright © 2014.



## CSAIA 2014 Board of Directors

President Marjorie Jessen  
Secretary Karen Sherwood  
Roberta Hopewell  
Dustin Bruzee  
Rich Barton

President Elect Richard Nickel  
Treasurer Tim McFadden  
Steven Welch  
Karla Beler



Members registered at the 2014 spring Conference in Shell Beach, CA.



### About Our Organization

**CSAIA PHONE  
NUMBER:  
(951) 290-8261**

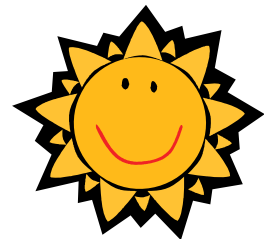
<http://www.csaia.org>

**California Sexual  
Assault Investigators  
Association**

**750 S. Lincoln Avenue  
#104-287  
Corona, CA 92882**

Membership is now on a 12 month annual cycle! Watch your e-mail for an electronic notification to renew your membership. RENEW ON-LINE! Annual membership is \$50.00.

You must renew to continue to have access to the Members Area on the website and to continue to receive information by mail!!



*Enjoy a safe summer!*

