



# HASHOMER

P.O. BOX 35688, LOS ANGELES, CA 90035

January/February 2003 Issue (Revised)

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David J. Kalish, (Deputy Chief, L.A.P.D.)

Stu Maislin, (Commander, L.A.P.D.)

## President's Message

This coming year we hope to have our events, the Banquet, the Picnic, the "Steak Fry" and the Hanukkah Party, appealing to more of our members and their families. Our last event-the Hanukkah party-was attended by over 50 people all of whom had a great time. We had the privilege of seeing the Hanukkah lit by Rabbi Passamaneck after Rabbi Kraus said the Brochas. Those of you who haven't attended any of the events or meetings are really missing out on the camaraderie that makes the Shomrim Society special. Our annual visit to the City of Hope Children's Outpatient Cancer Treatment Center, with gifts for the children, on December 10<sup>th</sup>, was led by Sheldon and Candy Kaminsky. This is one of our really worthwhile yearly endeavors; and many thanks to the Kaminsky's for always doing such a great job.

I attended the National Conference of Shomrim Societies Convention in Miami Beach. The theme of the National Convention was Domestic and Global Terrorism with speakers on the subjects of Post Traumatic Stress Disorder related to September 11, 2001, Aviation Security Trends, and Terrorism Prosecution. Events included a Gambling Cruise, a visit to the Holocaust Memorial and the Jewish Museum. The concluding breakfast meeting speaker was Mark Weitzman, of the Simon Wiesenthal Center, New York, who spoke on the nature and sponsorship of hate web sites. Credit for the success of the National Convention goes to Shomrim of South Florida President Steve Leibowitz, and his "crew," who did a great job.

# HASHOMER

## 2003 SHOMRIMSOCAL SCHEDULE OF EVENTS

David Waksman, who spoke at our last steak fry, was elected National President. We will print David's message to all Shomrim members in the next Hashomer. The full list of national officers and board members appears below.

I also want to thank all of the board members, and members, of our chapter who have given me the encouragement and support needed to fulfill the obligations of my office.

The "Application" form now reflects the new dues structure. Please send in your renewal dues for 2003 in the amount of \$25.00. Also update your information and include your preferred e-mail address.

Shalom,  
*Marvin Goldsmith*, President

### **NATIONAL SHOMRIM OFFICERS**

At the annual convention of the National Conference of Shomrim Societies, attended by 16 chapters, held in Miami Beach this past December, the following officers were elected (Chapter affiliations in parentheses):

President: David Waksman (So Fla, 1<sup>st</sup> Fla, NYPD)  
Exec. Vice President: Lou Weiser (NYPD, So Fla, 1<sup>st</sup> Fla)  
First Vice President: Art Krinsky (Ga)  
Second Vice President: Art Winer (Mass)  
Recording Secretary: Murray Ellman (NYPD)  
Corresponding Secretary: Appointed-Open  
Treasurer: David Rosenzweig (Ner Tamid)  
Sergeant at Arms: Sam Miller (NYPD)  
Ass't Sgt. at Arms: Merrill Kelem (Phila)  
Regional Vice Presidents:  
Eastern: Gary Shapiro (Nassau)  
Southeastern: Open  
Mid-Atlantic: Bob Clearfield (Phila)  
Northeastern: Michael Mushnick (Mass)  
Midwestern: Bernie Feinstein (Illinois)  
Central: Gene Fixler (Ohio)  
Western: Marvin Goldsmith (SoCal)

### All members are invited to attend the Board Meetings

- January Board Meeting  
Tuesday, January 21<sup>st</sup> at 6:30 P.M.  
TIBERIAS RESTAURANT  
18046 Ventura Blvd, Encino
- February Membership Meeting  
Tuesday, February 18th at 6:30 P.M.  
Café Blue  
On the Ralph's Promenade  
9618 West Pico Blvd at Beverwil, LA
- March Board Meeting  
Tuesday, March 25th at 6:30 P.M.  
HAIFA RESTAURANT  
8717 West Pico Blvd. LA
- ANNUAL BANQUET HONORING  
RABBI DR. HENRY E. KRAUS  
Tuesday, April 29<sup>th</sup> at 6:30 P.M.  
SINAI TEMPLE  
10400 Wilshire Blvd. LA
- May Board Meeting  
Tuesday, May 20<sup>th</sup> at 6:30 P.M.  
At a place to be determined
- June Picnic Meeting  
Sunday, June 22<sup>nd</sup> at 12 Noon  
At a place to be determined
- July Board Meeting  
Tuesday, July 22<sup>nd</sup> at 6:30 P.M.  
At a place to be determined
- STEAK "FRY"  
Sunday, August 31<sup>st</sup> at 5:00 P.M.  
229 South Clark Drive, Beverly Hills
- September Board Meeting  
Tuesday, September 23<sup>rd</sup> at 6:30 P.M.  
At a place to be determined
- October Board Meeting  
Tuesday, October 14th at 6:30 P.M.  
In the Succah  
229 South Clark Drive, Beverly Hills

# HASHOMER

Annual Meeting of the Board of Directors  
and the Membership  
Tuesday, November 18<sup>th</sup> at 6:30 P.M.  
At a place to be determined

HANUKKAH PARTY  
Sunday, December 21<sup>st</sup> at 4:30 P.M.  
At a place to be determined

## **Shomrimsocal On The Web**

Have you visited our website? If not, Why not?  
We're at [www.shomrimsocal.org](http://www.shomrimsocal.org) just a click away.  
Get the latest updates on meetings and  
announcements, read about your organization, look  
at photos of recent events, etc. Active links to other  
Shomrim sites, including the National Conference of  
Shomrim Societies.

If you have something you would like added to the  
site send an e-mail to [story@shomrimsocal.org](mailto:story@shomrimsocal.org) or  
drop us a letter to our P.O. Box.

## **Refuah Shelemah**

We wish a speedy and continuing recovery to:  
Charles Drescher  
Dave Rosenberg  
Debbie Perlow

## **Governmental Tort/Police Civil Liability**

By Marvin Goldsmith

### Part IV

Last issue we ended with a short discussion of  
Johnson v. State of California which found that a  
Special Relationship existed between the parole  
officer and the foster parents because a high  
probability existed that the foster parents would  
view the lack of warning as an assertion that there  
was no danger.

Similar results were reached in McCorkle v. City of  
Los Angeles and Mann v. State of California. In  
both of these cases, police officers made implied  
representations that certain conduct could be  
undertaken safely. In McCorkle, an officer induced  
the plaintiff to enter an intersection where he was  
struck by oncoming traffic. In Mann, an officer who  
had protected plaintiffs from traffic with the flashing  
lights of his patrol car left the scene of the accident

with the plaintiffs still in their car, thus impliedly  
assuring them that they would be safe from  
oncoming traffic. In both cases, the officers knew  
that the plaintiffs were at a special risk and had  
entered into special relationships with them. Under  
these circumstances, the courts held that the doctrine  
of sovereign immunity did not protect the defendants  
from liability.

The concept of detrimental reliance was further  
expanded in the case of Tarasoff v. Regents of the  
University of California. In that case a patient told  
his therapist that he intended to kill a particular  
person. Despite the fact that no relationship existed  
between the therapist and the victim, the California  
Supreme Court held that the therapist-patient  
relationship can create a duty to exercise reasonable  
care to protect a potential third party victim. The  
duty in Tarasoff was not strictly based on  
detrimental reliance by the victim. Instead the Court  
focused on dependence, holding that potential  
victims were dependent on therapists for information  
that might protect them. Thus, a therapist could be  
held liable even where no relationship existed  
between the victim and the alleged tortfeasor.


Some confusion was created by the California  
Supreme Court's decision in Williams v. State of  
California, which expressly rejected dependence as a  
basis for liability. In Williams, the plaintiff alleged  
that unnamed police officers negligently investigated  
an automobile accident in which the plaintiff was  
injured, thus destroying plaintiff's attempt to obtain  
compensation for her injuries. Since the officers  
neither created nor increased plaintiff's peril, and  
since they did not assume any responsibility to  
protect plaintiff's prospects for recovery by civil  
litigation, the Court found there was no special  
relationship and no detrimental reliance by the  
plaintiff. Although the holdings in Williams and  
Tarasoff seem inconsistent, they may be reconciled  
by limiting Williams to cases of police nonfeasance  
where there is not mandatory duty to act.

To be Continued

# HASHOMER

**COPY THIS PAGE AND RECRUIT  
A NEW MEMBER!**

**Renew Now For 2003!**

	<b>SHOMRIM SOCIETY OF SOUTHERN CALIFORNIA</b>	
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WHAT CAN THE SHOMRIM SOCIETY DO FOR YOU?

SIGNATURE	DATE
-----------	------

Please return this application and your check to the above address. Thank you.

**Renew Now For 2003!**

## MEMBERSHIP

Use the form on the left to recruit new members for our organization or to have old members renew. Please have the application completed with all the information requested, including the e-mail address as much of our communication with members is done by e-mail.

Members of any Southern California law enforcement, public safety or administration of justice agency, law enforcement or public safety reserve officers, retired members of those agencies, or persons eligible to become a member of the National Conference may apply for membership as Regular Members. Thus, in addition to peace officers, fire fighters, men and women of the Jewish faith who are employed or retired from the various fields of law enforcement, public safety, and the administration of justice such as prosecutors, judges, parole and probation officers, correctional officers, and paramedics, to name a few, are also eligible for Regular Membership.

The initial membership fee is \$18.00, which includes membership for the first year. Annual membership dues thereafter are \$25.00. Associate Membership (non-voting) may be granted by the Board of Directors, to persons who are interested in furthering and advancing the purposes of the Shomrim Society of Southern California who do not qualify for Regular membership. Such members may be proposed by any Regular Member; however, such members must be approved by the Board of Directors and are subject to annual review by the Board for continued membership. The annual membership fee for Associate Members is \$36.00.

### Additional Information

Further information about the Society may be obtained by writing to the above address, e-mail to [shomrimsocal@msn.com](mailto:shomrimsocal@msn.com), or by contacting the message number: (310) 967-2018.

# HASHOMER

## It's tax time

By Bernard Melamed, CPA

Tax time has arrived and the information below lists Law Enforcement deductions that are available to you, less reimbursement; and indicates where they should be deducted on your tax return.

	Amount		Amount
<b>AMMUNITION</b>		<b>EQUIPMENT</b>	
<b>ASSOCIATION DUES</b>		Wrist Watch	
<b>WEAPONS</b>		Watch Band & Repairs	
<b>On Duty</b>		Hand Cuffs & Cuff Case	
<b>Off Duty</b>		Brief Case	
<b>Grips</b>		Flash Lights & Batteries	
<b>Gun Bluing</b>		Tape Recorder & Tapes	
<b>Gun Repairs</b>		Binoculars	
<b>Gun cleaning supplies</b>		Camera & Film	
		Baton	
<b>EDUCATION EXPENSE</b>		Ammunition Holder	
<b>Tuition</b>		Ammunition Magazines & Clips	
<b>Books and Supplies</b>		Keepers	
		Key Holder	
<b>TELEPHONE</b>		Badge Tabs	
<b>Message Units</b>		Belts	
<b>Coin Telephone</b>		Holsters	
		Badge Holder	
<b>PUBLICATIONS</b>		Citation Book	
<b>Thomas Guide</b>		Patrol Box	
<b>Davis Books</b>		Whistle	
<b>Penal Code</b>		Mace Case	
<b>Manuals &amp; Journals</b>		Bullet Proof Vest	
		Duffle Bag	
<b>UNIFORMS</b>		False Arrest Insurance	
<b>Pants, Shirts &amp; Jackets</b>		Brass & Copper Cleaners	
<b>Shoes &amp; Repairs</b>		Pens, Pencils & Clip Board	
<b>Rain Gear</b>			
<b>Hats, gloves, Belts &amp; Ties</b>		TOTALS TO SCHEDULE A	
<b>Name Tags &amp; Emblems</b>			
<b>Shoe Shine Kit</b>		<b>MILEAGE AND TRAVEL EXPENSE</b>	
		Station to court Mileage	
<b>UNIFORM MAINTENANCE</b>		Miles	
<b>Cleaning &amp; Laundry</b>		Education Mileage	
<b>Tailoring</b>		Miles	
<b>Uniform Repairs</b>		Special Detail Travel Expense	
		TOTALS TO FORM 2106	

# HASHOMER

**HOLD THE DATE! MARK YOUR CALENDAR!**

**SHOMRIM SOCIETY OF SOUTHERN CALIFORNIA**

**ANNUAL BANQUET**

**TUESDAY, APRIL 29, 2003**

**6:30 P.M.**

**HONORING**

**RABBI DR. HENRY E. KRAUS**

**At**

**SINAI TEMPLE**  
**10400 WILSHIRE BLVD.**  
**LOS ANGELES, CALIFORNIA**

**INSTALLATION OF OFFICERS  
AND  
THE BOARD OF DIRECTORS**

**By  
SHERIFF LEROY BACA  
Los Angeles County Sheriff's Department**

**Cocktails and Hors d'oeuvres: 6:30 P.M.**  
**Choice of Prime Rib or Salmon**  
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# HASHOMER

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President's Message

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IT'S TAX TIME By Bernard Melamed, CPA

**REVISED CALENDAR**

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