



HASHOMER

(Affiliated with the National Conference of Shomrim Societies
and the International Association of Jewish Public Service Employees)

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

October-November-December 2010 Issue

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NOTICE OF ANNUAL MEETING OF THE BOARD OF DIRECTORS AND MEMBERSHIP 2010

The By-Laws provide that the annual meetings take place in November of each year. The annual meeting of the Board of Directors and the Membership therefore will take place on Wednesday, November 17th, 2010 at 6:30 P.M. at Habayit Restaurant, 11923 West Pico Blvd, Los Angeles, CA. The agenda will include the nomination and election of officers and members of the Board of Directors for 2011, and the selection of our Honoree for 2011.

2010-2011

SHOMRIMSOCAL SCHEDULE OF EVENTS

Annual Meeting of the Board of Directors
and the Membership

Wednesday, November 17th at 6:30 PM
Habayit Restaurant
11923 West Pico Blvd, West L.A.

HANUKKAH PARTY

Tuesday, December 7th, 6:30 P.M.
Pizza World
365 South Fairfax Ave., L.A.
(Just South of Third St.)

January Meeting

Tuesday, January 11th, at 6:30 P.M.
Elat Burger
9340 West Pico Blvd
(Just East of Beverly Drive)

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THE DUTY TO DEFEND AND INDEMNIFY PUBLIC SAFETY OFFICERS: BASIC CONCEPTS

By Scott S. Widitor

BASIC RULES OF LIABILITY

The rules covering a public entity's responsibility for the negligent actions of its public safety employees have remained relatively constant over the past 40 years. Under the Tort Claims Act of 1963, public employees in California are generally liable for their negligent or their intentional torts unless a specific statute grants them immunity. In cases where no specific statutory immunity applies – say for example where a police officer is involved in an ordinary traffic accident while on patrol- the normal rules of employer liability apply and the public entity, as the employer of the officers, is liable for any injuries or damage caused when the employee is acting *within the course and scope of his or her employment*.

A more difficult question arises when a public safety employee commits an intentional tort such as battery. In this piece I will attempt to sort out the factors involved in establishing a public entity's duty to defend and indemnify a public safety officer. It would be impossible to cover all of the rules and requirements of public employee defense. This article presents an outline of the concepts and sets out some examples of issues unique to public safety officers which I have come across during my years as an attorney for public entities.

DUTY TO DEFEND

The General Duty to Defend

Generally, under Government Code Section 995, if any public employee requests a defense against a civil action based on an act or omission which occurred in the *course and scope of his or her employment*, the public entity must defend the employee. There are however a couple of exceptions. Government Code Sections 995.2 and 995.4 limit the entity's duty to provide a defense.

Situations Where an Entity Can Refuse to Defend

Under Section 995.2, a public entity may refuse to provide for the defense of a civil action or proceeding brought against an employee or former

employee if the public entity determines any of the following:

- (1) The act or omission was not within the scope of his or her employment.
- (2) He or she acted or failed to act because of actual fraud, corruption, or actual malice.
- (3) The defense of the action or proceeding by the public entity would create a specific conflict of interest between the public entity and the employee or former employee.

In a law enforcement context, an example of this type of a conflict of interest would occur when an off duty police officer is accused of a vicious battery of a sex offender. The officer contends that he acted in accordance with an established but unwritten policy of his department regarding pedophiles by encouraging the offender to leave the community. The entity, would of course assert that no such policy exists and that the officer was acting maliciously for his own purposes.

Defense of Employees in Administrative Proceedings

Under Government Code Section 995.4, a public entity may, but is not required to, provide for the defense of:

- (a) An action or proceeding brought by the public entity to remove, suspend or otherwise penalize its own employee or former employee, or an appeal to a court from an administrative proceeding by the public entity to remove, suspend or otherwise penalize its own employee or former employee.
- (b) An action or proceeding brought by the public entity against its own employee or former employee as an individual and not in his official capacity, or an appeal from such a proceeding.

This if an administrative proceeding is brought against an individual police officer, say, for example, a violation of Departmental rules, the entity may choose to provide the officer with a defense. Usually the entity will provide such a defense unless the offense which gave rise to the proceeding is egregious. Thus for example where an officer fails to admonish a victim, in the context of an in the field identification of a suspect that the

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person arrested may not be the perpetrator, the offense is minor and the public entity would obtain defense counsel for the officer. In contrast, where an officer is accused of an unprovoked and vicious malicious beating of a suspect, the officer would be likely be “cut loose” and not be afforded a defense.

Defense of Employees Charge with Criminal Offenses

If the alleged misconduct rose to the level of a criminal offense, the public entity can, but is not required to provide for the defense of the officer under Government Code 995.8, if the entity if finds:

- (a) The criminal action or proceeding is brought on account of an act or omission in the scope of his employment as an employee of the public entity; and
- (b) The public entity determines that such defense would be in the best interests of the public entity and that the employee or former employee acted, or failed to act, in good faith, without actual malice and in the apparent interests of the public entity.

These finding usually occur in the context of closed sessions of the legislative body of the entity such a City Council meeting or a meeting of a County Board of Supervisors.

DUTY TO INDEMNIFY

The following sections describe a public entity’s duty to indemnify its employees and former employees whose action or omissions occurred during the course and scope of their employment.

The General Duty to Indemnify

Government Code Section 825 states that where an employee or former employee of a public entity makes a request that the public entity defend him or her, the public entity has to pay any judgment or settlement based on that action. The employee must make the request in writing at least 10 days before any trial or adjudicative proceeding and the employee must reasonably cooperate in good faith in the defense of the action,

Defense Subject to a Reservation of Rights

A public entity can conduct the defense of the employee and reserve its right not to pay the judgment, compromise, or settlement until it establishes that the injury arose out of an act or

omission occurring within the scope of his or her employment as an employee of the public entity. This is often known as a defense subject to “a reservation of rights.”

Indemnity for Punitive Damages

A public entity is also authorized to pay punitive damages under certain circumstances. If the governing body of that public entity, acting in its sole discretion (except in cases involving an entity of the state government) finds all of the following:

- (1) The judgment is based on an act or omission of an employee or former employee acting within the course and scope of his or her employment as an employee of the public entity.
- (2) At the time of the act giving rise to the liability, the employee or former employee acted, or failed to act, in good faith, without actual malice and in the apparent best interests of the public entity.
- (3) Payment of the claim or judgment would be in the best interests of the public entity.

State employees may be indemnified for punitive damages under similar circumstances, except that “the governing body” that approves the payment is the Legislature which acts upon the recommendation of the appointing power of the employee or former employee. The Legislature and the appointing authority must find the three conditions for payment of punitive or exemplary damages described above.

Generally, in the case of a conflict the provisions of a memorandum of understanding reached between a collective bargaining unit and a public entity will control the indemnification of public employees subject to the agreement without further legislative action. Again, a special exception is made for the payment of punitive damages which are only governed by the law described above.

Elected Officials Are Subject to Special Rules

An exception has also been created for certain acts of elected officials. A public entity cannot pay a judgment, compromise, or settlement arising from a claim or action against an elected official, if the claim or action is based on conduct by the elected official who intervenes, attempts to intervene in, or influences or attempts to influence the outcome of, any judicial action or proceeding for the benefit of a

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particular party. The exception does not apply if the elected official (particularly a District Attorney, City Attorney or Attorney General) was counsel of record acting lawfully within the scope of his or her employment on behalf of that party.

Reimbursements and Repayments

Generally, if a public employee is entitled to indemnification under 825 and he or she pays the cost of any judgment, he or she may seek to recover of any funds they have expended in their defense. Government Code Section 825.2 covers reimbursements and repayments. If an employee or former employee of a public entity pays any claim or judgment against him or her that the public entity was required to pay under Section 825, he or she is entitled to recover the amount of such payment from the public entity.

When an Employee May Seek Indemnification

If the public entity did not conduct an employee's defense against an action or claim or if the public entity conducted the defense pursuant to a reservation of rights, the employee may recover from the public entity if he or she establishes:

- 1) that the act or omission involved occurred within the scope of his or her employment and
- 2) the public entity fails to establish that
 - a. the employee acted or failed to act because of actual fraud, corruption or actual malice or
 - b. that the employee willfully failed or refused to conduct the defense of the claim or action in good faith or to reasonably cooperate in good faith in the defense conducted by the public entity.

As before, any memorandum of understanding reached pursuant to collective bargaining agreement is controlling without further legislative action on the issue of repayment or reimbursement.

Indemnification of Entity by Employee Generally Barred

Under Government Code Section 825.4 if a public entity pays an employee for an injury arising out of an act or omission of the employee or former employee of the public entity, the employee is not liable to indemnify the public entity. In addition, under section 825.6 a public entity may generally

not recover payments made on behalf of an employee if the public entity conducted the employee's defense against the action or claim.

Entity May Seek Indemnification Under Certain Circumstances

Government Code Section 825.6 creates an exception to the general rule. It states that if a public entity pays any claim or judgment against itself or against an employee for an injury arising out of an act or omission of an employee, the public entity may recover any payment from the employee if

- a) He or she acted or failed to act because of actual fraud, corruption, or actual malice, or
- b) The employee willfully failed or refused to conduct the defense of the claim or action in good faith.

A public entity may also, in certain cases, recover any payments made on a claim or judgment against an employee if the public entity conducted the defense against the claim or action under an agreement reserving its rights. The employee may defend against the entity's claim by establishing:

- a) That that the act or omission upon which the claim or judgment is based occurred within the scope of his or her employment and
- b) The public entity fails to establish that he or she acted or failed to act because of actual fraud, corruption, or actual malice or that the employee willfully failed or refused to reasonably cooperate in good faith in the defense conducted by the public entity.

Even if a public entity conducts a defense without a reservation of rights, it may still recover any payments made on behalf of an employee if the employee willfully failed or refused to reasonably cooperate in good faith in the defense conducted by the public entity.

Special Rule Apply to Elected Officials

Elected officials who are convicted of felonies violations of Government Code Section 1195(diverting salaries of subordinates), or of Penal Code Sections 68, 86, 93, 165(giving or receiving bribes), 504 (taking property), or 518(extortion) for an act or omission while in office forfeit any rights

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to defense or indemnification under Section 825 with respect to a claim for damages for an injury arising from that act or omission.

If a public entity pays any such claim or judgment, either against itself or against an elected official or former elected official of the public entity, the public entity can recover, from the elected official, the amount of that payment upon the felony conviction of the elected. In addition, upon that conviction, the public entity can recover from the elected official the costs of any defense to a civil action filed against the elected official for that act or omission.

As before if a memorandum of understanding negotiated with a collective bargaining unit conflicts with the law the memorandum of understanding shall be controlling without further legislative action.

THE COURSE AND SCOPE OF EMPLOYMENT

Respondeat Superior Liability

Whether an employer is vicariously liable for the employee's intentional conduct will depend upon whether the employee's act was committed within the course and scope of his employment. Defining the course and scope of an employee's employment is the most fundamental question to resolve in these situations. Unfortunately it can also be the most difficult as well.

Generally speaking, whether an employer is vicariously liable for the act of an employee turns upon whether the act was either required by, or incident to, employment, or was foreseeable by the employer. If either prong of this test is satisfied, the employer is liable for injury caused by the employee, even if the act was willful or malicious. *Alma W. v. Oakland Unified School District* (1981) 123 Cal.App.3d 133. Thus, the issue of whether an employer is liable turns whether the employee was acting in the furtherance of the employer's interests. Courts have traditionally held that where an employee's wrongful act was committed within the scope of his employment, the employer should be made to bear the responsibility for the employee's actions even though it was wrongful.

Scope of Employment – A More Difficult Question When Law Enforcement is Involved

An employer may be held liable for an employee's negligent, malicious and even criminal wrongs where they fall within the scope of employment. In *Mary M. v. City of Los Angeles* (1991) 54 Cal.3d 202, the California Supreme Court held that a police officer's employer was liable for the officer's acts of stopping a female motorist, placing her under arrest, and driving her home where he raped her. The court found that the officer's conduct in raping the motorist was within the scope of his employment. The court appeared to give much weight to the fact that police officers generally possess considerable authority and control over motorists, and that the abuse of that authority was not a sufficient departure to justify a finding that the conduct was beyond the scope of employment.

In contrast, however, is the case of *John R. v. Oakland Unified School Dist.* 48 Cal.3d 438 (1989), where a junior high school student sued the school district, alleging that he had been sexually molested by his teacher while at the teachers' home for an extracurricular program. The court held that the molestation was not within the scope of the teacher's employment, and therefore the school district was not vicariously liable.

In *San Diego Police Officers Assn. v. City of San Diego* (1994) 29 Cal.App.4th 1736, the Court of Appeal confronted a similar difficult situation. Sergeant Goudarzi of the San Diego Police Department was working on the homicide task force investigating serial murders. He met Denise Loche when she phoned the Department to give information concerning an investigation. Loche became an informal citizen informant working directly under Goudarzi. A personal relationship also developed. Prior to October 13, 1990, the two had sex on three or four occasions at Goudarzi's condominium, always while Goudarzi was off duty. Loche claimed that following a period of intimidation and coercion, Goudarzi performed acts of sexual battery upon her person on October 13, 1990. She filed a complaint against Goudarzi and the City alleging six causes of action.

Goudarzi formally requested the City to defend him pursuant to section 995. The City refused to provide this defense citing alleging in its defense that the act not within the scope of Goudarzi's employment and

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that Goudarzi had acted because of actual fraud, corruption, or actual malice.

The POA provided a defense. After pretrial motions only the battery cause of action remained. Eventually a jury rendered a verdict that no battery had occurred.

Goudarzi and the POA then brought an action under section 996.4 to recover the costs of the defense. **Goudarzi, the only witness** in the fees case, testified he was on vacation, did not have his City car, but was subject to being called in at any time. He believed all his sexual encounters with Loche were strictly personal and had nothing to do with his employment with the City. Every time Goudarzi had sex with Loche it was at Goudarzi's condominium while off duty. Goudarzi testified that never threatened Loche. The lower court found Goudarzi was not acting within the "course and scope" of his employment on October 13, 1990 and entered judgment for the City. The POA appealed.

The central issue was whether the initial lawsuit arose out of an act or omission in the scope of Goudarzi's employment as a police officer. The **SPOA** court analyzed the question by reviewing prior cases.

In **Alma W. v. Oakland Unified School Dist.** (1981) 123 Cal.App.3d 133, the court stated: "The determination as to whether an employee committed a tort during the course of his employment turns on whether or not: 1) the act performed was either required or 'incident to his duties,' or 2) the employee's misconduct could be reasonably foreseen by the employer in any event....' ..." (Citations deleted.)

This test was applied in **White v. County of Orange**, (1985) 166 Cal.App.3d 566, 571. In **White**, Loudermilk, a deputy sheriff, while on duty, in uniform, driving a marked patrol unit, stopped an automobile driven by White. Loudermilk placed White in his car and drove her around for several hours in secluded areas, all the while threatening her with rape and murder. The Court of Appeal held that the City was liable because what Loudermilk was doing was "incident to his duties." as a police officer.

"A police officer is entrusted with a great deal of authority. This authority distinguishes the situation here from the facts of **Alma W.** Unlike a school custodian, **the police officer carries the authority of the law with him into the community. The officer is supplied with a conspicuous automobile, a badge and a gun to ensure immediate compliance with his directions.** The officer's method of dealing with this authority is certainly incidental to his duties; indeed, it is an integral part of them. Here, unlike **Alma W.**, the wrongful acts flowed from the very exercise of this authority. (**White**, at p.571). The court reasoned that as an employer, the government must be responsible for acts done during the exercise of this authority.

A similar result was reached by the California Supreme Court in **Mary M. v. City of Los Angeles**, *supra*, 54 Cal.3d 202. In **Mary M.**, Sergeant Schroyer, an on-duty, uniformed police officer driving a marked patrol car, stopped Mary, who was driving home alone. After she failed a field sobriety test, Schroyer drove Mary to her home where he raped her. Schroyer threatened to take Mary to jail if she resisted. **The court reasoned the police officer was in a unique position of authority. When he committed a sexual assault through misuse of his authority, the public employer must be held accountable.** (*Id.* at p. 221.) Even tortious conduct that violates an employee's official duties or disregards the employer's express orders can be within the scope of employment. (*Id.* at p. 209.)

The **Mary M.** court explained that Schroyer was acting within the scope of his employment when he detained Mary, had her perform a field sobriety test, and when he ordered her into his police car. Schroyer then misused his official authority by raping Mary and threatening to take her to jail if she resisted. The court viewed the transaction as a whole in concluding the officer was acting within the scope of his employment when he raped Mary.

The **SPOA** court contrasted its facts with those involved in **Mary M.** and **White**. Goudarzi was not in the course of a series of authorized or official acts on the night in question. There was no evidence of any misuse of official authority. Goudarzi was on vacation, at home, having sex with Loche. The only connection between Goudarzi's employment and Ms. Loche was that she was an informal informant and Goudarzi was a vacationing police officer subject to

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being called to duty. These circumstances did not bring their sex acts within the scope of Goudarzi's employment. Additionally, there was no evidence that Goudarzi misused his official authority to coerce Loche into their sexual relationship. Goudarzi, himself, the only witness in the action to recover the legal fees, testified that he never threatened Loche and that their sex had nothing whatsoever to do with his employment as a police officer.

EMPLOYER RATIFICATION

Even where the employee does not know of and/or approve of an employee's actions, the employer may still be held liable where he or she subsequently "ratifies" the employee's acts. *Jameson v. Gavett* (1937) 22 Cal.App.2d 646; *Civil Code* 2339. Ratification may take many forms, and may be either express or implied. *Fisher v. San Pedro Peninsula Hospital* (1989) 214 Cal.App.3d 590. Ratification has been found to exist where an employer fails to fully investigate the circumstances after being informed of the employee's actions; where the employer fails to repudiate the employee's conduct by redressing the harm done; or where the employer fails to discharge the employee after learning of the conduct.

Ratification, like scope of employment, depends on the unique factors present in each case. No hard-and-fast rules may be formulated. In conducting investigation in cases involving intentional torts by employees, it is important to develop facts tending to establish that the employee was acting in furtherance of his or her own interests, and that his actions were outside the course and scope of his employment.

Implication Unique To Public Officials of a Decision To Defend and Indemnify

An additional complication arises when law enforcement activities are involved. 42 U.S.C. Section 1983 creates a cause of action against a public official who, under color of authority, deprives a person of a right, privilege or immunity guaranteed under the Constitution or laws of the United States. In *Monell v. Department of Social Services* (1978) 436 U.S. 658, the United States Supreme Court held that municipalities (but not states) are "persons" subject to damages liability under section 1983 where "action pursuant to official municipal [custom, practice or] policy of some

nature cause[s] a constitutional tort." 436 U.S. at 2036. Thus, although there is no vicarious liability and the doctrine of respondeat superior does not apply, in certain cases, a plaintiff may establish that a public entity is liable directly if it ratifies an unconstitutional act of one of its employees.

A section 1983 plaintiff may establish municipal liability by establishing that the individual who committed the constitutional tort was an official with "final policy-making authority" and that the challenged action itself thus constituted an act of official governmental policy. *See, Pembaur v. City of Cincinnati* (1986) 475 U.S. 469. If the plaintiff can prove that an official with final policy-making authority ratified a subordinate's unconstitutional decision or action and the basis for it the public entity may be held directly liable for a violation of Section 1983. *See, City of St. Louis v. Praprotnik* (1988) 485 U.S. 112.

The upshot of all this is that when a legislative body of a public entity is considering a decision to defend or indemnify a public employee such a police officer, it must also consider whether its decision will be considered a ratification of the employee's allegedly wrongful conduct, possibly subjecting it to additional liability. This obviously complicates an already complicated situation.

EIGHT DAYS OF CHANUKAH

December 2-8, 2010

Jews observe a holiday for eight days in honor of the historic victory of the Maccabees and the miracle of the oil.

**Compiled by Rabbi Chaim Kolodny, CMC, NHA,
LAPD Senior Bureau Chaplain - Office of the
Chief of Police**

Chanukah in a Nutshell

Chanukah -- the eight-day festival of light that begins on the eve of Kislev 25 -- celebrates the triumph of light over darkness, of purity over adulteration, of spirituality over materiality.

More than twenty-one centuries ago, the Holy Land was ruled by the Seleucids (Syrian-Greeks), who sought to forcefully Hellenize the people of Israel. Against all odds, a small band of faithful Jews

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defeated one of the mightiest armies on earth, drove the Greeks from the land, reclaimed the Holy Temple in Jerusalem and rededicated it to the service of G-d.

When they sought to light the Temple's menorah, they found only a single cruse of olive oil that had escaped contamination by the Greeks; miraculously, the one-day supply burned for eight days, until new oil could be prepared under conditions of ritual purity.

To commemorate and publicize these miracles, the sages instituted the festival of Chanukah. At the heart of the festival is the nightly menorah lighting: a single flame on the first night, two on the second evening, and so on till the eighth night of Chanukah, when all eight lights are kindled.

On Chanukah we also recite Hallel and the Al HaNissim prayer to offer praise and thanksgiving to G-d for "delivering the strong into the hands of the weak, the many into the hands of the few... the wicked into the hands of the righteous."

Chanukah customs include eating foods fried in oil - latkes (potato pancakes) and sufganiot (doughnuts); playing with the dreidel (a spinning top on which are inscribed the Hebrew letters nun, gimmel, hei and shin, an acronym for Nes Gadol Hayah Sham, "a great miracle happened there"); and the giving of Chanukah gelt, gifts of money, to children.

The Miracle - *Courtesy of MeaningfulLife.com*

What is Chanukah? ... When the royal Hasmonean family overpowered and was victorious over [the Greeks], they searched and found only a single cruse of pure oil... enough to light the menorah for a single day.

A miracle occurred, and they lit the menorah with this oil for eight days. On the following year, they established these [eight days] as days of festivity and praise and thanksgiving to G-d.

Talmud, Shabbat 21b

Many miracles, great and small, accompanied the liberation of Israel from Hellenic dominance and the reclaiming of the Holy Temple as the lighthouse of

G-d. But there is one particular miracle, the Talmud is saying, that is the sum and substance of Chanukah: the miracle of the small cruse of pure oil that burned for eight days.

The challenge faced by the Jewish people at that time was unlike any that had confronted them before. Hellenism, a noxious blend of hedonism and philosophy, could not be resisted by the conventional tools of Jewish learning and tradition. Only the cruse of pure oil-the supra-rational, supra-egotistical essence of the Jewish soul, from which stems the Jews intrinsic self-sacrificial loyalty to G-d could illuminate the way out of the mud swamps of Hella. Only by evoking this inner reserve of uncontaminable oil were we able to banish the pagan invader from G-d's home and rekindle the torch of Israel as a light unto the nations.

But this was oil sufficient for only a single day. By nature, man's highest powers flare brightly and fleetingly, soon receding to the supra-conscious, supra-behavioral place from which they have come. When a person's deepest self is challenged, the essential oil of his soul is stimulated, and no force on earth can still its flame; but then the moment passes, the cataclysmic levels off into the routine, and the person is left with his ordinary, mortal self.

The miracle of Chanukah was that they lit the menorah with this oil for eight days--that the flame of selfless sacrifice blazed beyond a moment of truth, beyond a day of reckoning. That the small pure cruse of oil burned beyond its one-day lifespan for an additional week, illuminating the seven chambers of the soul (Kabalistic teaching enumerates seven middot or basic character traits--love, restraint, harmony, ambition, devotion, bonding and receptiveness--from which stem all feelings and motivations of the heart). This was no mere flash of light in a sea of darkness, but a flame destined to shed purity and light for all generations, under all conditions.

Thus the Talmud relates that it was only on the following year that these eight days were established as the festival of Chanukah. A year is a microcosm of time, embodying all of times seasons and transmutations. So it was only on the following year, after it had weathered all fluctuations of the annual cycle, that the victory of Chanukah could be installed as a permanent fixture in our lives.

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JEWS FOR JUDAISM HONORS FOUNDERS AFTER 25 YEARS

By Peri Devaney

Earlier this year, David Rifkind and Steve and Julie Bram (George Smith Partners) encouraged Rabbi Bentzion and Dvora Kravitz to accept an honor long overdue them. Rifkind, as Board President, and the Brams as event Co-Chairs, will honor the Kravitz's at Jews for Judaism International's 25th Anniversary Gala at The Sephardic Temple on Wilshire Blvd. on November 2nd.

Married more than 32 years, the Kravitz's have dedicated their lives together, and opened their home, to Jews and non-Jews searching for meaning in life. In the early 1980's they, as an example, hosted a vegetarian Passover Seder for Jewish members of the Hari Krishna movement.

While Dvora was raising their growing family and going to graduate school, Bentzion was a campus rabbi at Cal State Northridge, Valley College, USC and UCLA. During those years he noticed a growing movement of Jewish-looking missionary groups deceptively trying to convert Jews. Jewish educators and outreach programs were not equipped to address this new form of proselytizing so, with Dvora's assistance, Bentzion launched Jews for Judaism. Originally working out of their home in LA, Jews for Judaism is now headquartered in the Westfield Building at 1801 Avenue of the Stars.

With a major in communications at UT Austin and a degree from the Rabbinical College of America, the New York-born rabbi quickly became a renowned lecturer, appearing on television and radio, and presenting extensively throughout the US, former USSR, S. Africa, Australia, Canada, UK and Israel to people of all denominations and faiths. His *Jewish Response to Missionaries handbook* has been translated into seven languages with more than 320,000 in print. And the unique counseling style he developed continues to earn him the gratitude of those he works with and one of the highest success records for counseling Jews confused by cults and deceptive proselytizing. *Today, Kravitz and his materials are also featured prominently throughout the web, and there are additional Jews for Judaism centers in Baltimore, Toronto, S. Africa, Israel, Australia, and on the web at JewsForJudaism.org.*

While still speaking, counseling, writing and actively leading Jews for Judaism as its Executive

Director, Rabbi Kravitz has also found time to serve as a Reserve Deputy, Chaplain and Advanced Critical Incident Counselor for the Los Angeles County Sheriff's Department, and as a Department of Justice certified firearms instructor. His hobbies include skiing, guitar, scuba diving and martial arts.

New Jersey born and raised, Dvora Kravitz attended high school in Israel and earned her Bachelor's in Sociology from UCLA and Masters in Psychology from Loyola Marymount. A licensed Marriage and Family Therapist, Dvora has worked as a social worker for the LA County Department of Children and Family Services and is currently a highly regarded Special Ed teacher for LAUSD. Dvora enjoys yoga and exercising and is an accomplished flute player, avid reader and fabulous cook. It is not uncommon for her to prepare a 4-course Sabbath or Holiday meal for 30 guests seeking both physical and spiritual nourishment. Her counseling and education expertise is often called upon during the development of Jews for Judaism programs.

Bentzion and Dvora are the proud parents of six children and four grandchildren. Their eldest son, "Rabbi Zalman," has been part of Jews for Judaism's professional team since 2004, bringing a new generation's passion and views into the development and implementation of programs and initiatives that will be launching Jews for Judaism into a new era.

The Kravitz's can be congratulated by phone at 310-556-3344, email at la@JewsforJudaism.org, or in person or with a Tribute ad, at the Gala on November 2nd.

Information and participation opportunities are available online at

www.JewsForJudaism.org/gala.

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT UNIVERSITY (LASDU) MAKES LIFELONG LEARNING EASY

by Dr. Yael Hellman, Reserve Deputy

Sheriff Leroy Baca set up the **Los Angeles County Sheriff's Department University (LASDU)** to help Department officers and employees earn their **Associate's, Bachelor's, Master's, or Doctoral degrees** in an extensive range of fields. Teamed with an impressive consortium of local colleges and

HASHOMER

universities, LASDU encourages all Department personnel to start or return to college for their personal and professional growth. The great news is that most of the programs are available to any peace officers, regardless Department.

LASDU brings you Associate's, Bachelor's, Master's, and Doctoral programs in areas including Leadership, Criminal Justice, Business, Law, Emergency and Disaster Management, International Relations, Sociology, Transportation and Logistics Management, Public Administration, Homeland Security, Political Science, Human Resources, Forensics, Intelligence Studies, Information Technology Management, Environmental Studies, Computer Science, Health Sciences, Education, Psychology, and Nursing, --just to name a few!

LASDU is designed to give working adults the highest quality--and most convenient--educational experiences. Whether you take courses **on-line or on the ground**, the consortium provides prestigious venues including the University of Southern California, California State University (at Long Beach, Dominguez Hills, Northridge and San Bernardino), Chapman University, Woodbury University, National University, Union Institute and University, TUI, Marist, East Los Angeles Community College, and College of the Canyons.

Equally important, LASDU negotiates with the consortium for **affordable tuition rates**.

“I haven't been back to school in 30 years.... Where do I start?”

First and foremost, your past units don't expire. And if you have taken Academy training classes, you may have even more units than you thought.

Your first step is to complete your Associate's degree at a community college before you transfer to a 4-year college. An Associate in Arts (AA) or in Science (AS) is an academic degree usually awarded for completing the first 2 years of college-level studies.

If you've already earned your Associate's degree, you're really in luck. Generally, an AA or AS degree earned in the past 8 years can be applied automatically to a Bachelor's (Baccalaureate, or 4-year) degree. An AA or AS degree older than 8

years gives you units that can fulfill general education requirements in a Bachelor's program.

It's usually easiest to choose a community college near your home, so you can attend classes on campus as well as on-line. And tuition costs at a community college are much lower than at a 4-year school, so your first 2 years of college tuition can be a great deal.

“How do I get academic credit for my Basic Academy Training and other LASD training?”

The two schools offering undergraduate units are East Los Angeles College (ELAC) and College of the Canyons. To request academic credit, you must have earned some units at ELAC or at another college within the Los Angeles Community College District. **If you have attended any LASD training during your career, there is a 99% chance that you already have earned some units!**

Although LASDU can't determine the courses you need to complete your degree or transfer to the California State University (CSU) or University of California (UC) system, **college counselors at the campus of your choice are available to meet with you**. Just bring in all your previous college transcripts to have them reviewed by a counselor, or have them faxed and reviewed over the phone.

In addition to academic counseling, all community colleges offer assessment testing to identify your placement in any program. Testing schedules are usually located on the college's website.

LASDU has established direct relationships with community colleges which have both PACE (an accelerated educational format for working adults) and on-line programs. They include East Los Angeles College, West Los Angeles College, and College of the Canyons. A full list of Community Colleges and further information is available on our website:

<http://www.lasd.org/divisions/leadership-training-div/bureaus/lasdu/lasdu-home.html>

“What if I already have my Associate's Degree and want a Bachelor's Degree?”

A Bachelor's degree is awarded to students who have successfully completed a 4-year course of college studies. It is also a prerequisite for graduate

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programs (Master's and Doctoral degrees, including in law). Students must complete a total of 120 to 132 units of course work, depending on the area of study and the school. This total includes 60 units of lower-division credit (which may be transferred from a community college) and 60 units of upper-division coursework from a 4-year college or university. Note that all lower-division courses must be fully accredited and transferable to the 4-year school. You may also take these lower-division courses at a 4-year school: They generally offer the widest selection of majors, but their tuition is steep compared to that of a community college.

Our website has a full list of accredited 4-year colleges and universities in the LASDU consortium, as well as further information about them:

<http://www.lasd.org/divisions/leadership-training-div/bureaus/lasdu/lasdu-home.html>

“I have a Bachelor’s degree and I’m ready to move on to Graduate School!”

LASDU has partnered with great schools offering a wide variety of Master’s and Doctoral degrees (including those in law). For a complete list of consortium colleges and universities offering graduate degrees please visit:

<http://www.lasd.org/divisions/leadership-training-div/bureaus/lasdu/lasdu-home.html>

Whatever your personal or professional learning goal, LASDU can help you achieve it.

GIGGLES

Santa Converts to Judaism

Santa Claus Converts to Judaism MIAMI BEACH, FLA - [TheKnish.com] Exhausted and overworked from a frantic 2009, and not looking forward to a more frantic 2010-, Santa Claus has decided to convert to Judaism to lessen his workload and decrease his stress. Mr. Claus's first inkling that Judaism was his new intended path was when he was unloading one particularly heavy bag of gifts and muttered "Oy Oy Oy!" instead of "Ho Ho Ho!" Santa took this as divine inspiration and began some serious reflection on the matter. Mr. Claus sat down at his desk in the North Pole and itemized the benefits of bringing toys to Jewish children. Most obvious was that there were much less children to service, approximately 3,000,000 Jewish children, as

opposed to almost 500,000,000 Christian children. The next obvious benefit was that he had eight days of Hanukah to deliver all of these gifts instead of jamming the entire shipment into one night, which constantly required the already weary Santa to travel at the speed of light to accomplish the task. Finally, the straw that broke the reindeer's back was the realization that Jewish households had far more delicious cuisine to offer. Pastrami, Corned Beef, knishes and the like are more palatable than the milk and cookies he got bored of after the second century. Circumcision won't be necessary for Santa, because that's already been taken off in a freak accident involving frostbite after getting stuck in a tight chimney. Santa has left the frigid, brutal confines of the North Pole and has begun his toy shop anew in the sunny climes of Miami Beach, Florida. He has fired all of those annoying elves and replaced them with nice Jewish retirees from New York. The last piece of the puzzle is legally changing his name to something more in line with his new ethnic atmosphere. Beginning this Hanukkah 5771, Santa Claus will heretofore be known as the Clausenburger Rebbe.

Christmas

The Teacher asked young Patrick Murphy: "What do you do at Christmas time?"

Patrick addressed the class: "Well Ms. Jones, me and my twelve brothers and sisters go to midnight mass and we sing hymns; then we come home very late and we put mince pies by the back door and hang up our stockings. Then all excited, we go to bed and wait for Father Christmas to come with all our toys.

"Very nice Patrick," she said. "Now Jimmy Brown, what do you do at Christmas?"

Well, Ms. Jones, me and my sister also go to church with Mom and Dad and we sing carols and we get home ever so late. We put cookies and milk by the chimney and we hang up our stockings. We hardly sleep, waiting for Santa Claus to bring our presents.

Realizing there was a Jewish boy in the class and not wanting to leave him out of the discussion, she asked, "Now, Isaac Cohen, what do you do at Christmas?"

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Isaac said, "Well, it's the same thing every year...Dad comes home from the office. We all pile into the Rolls Royce; then we drive to Dad's toy factory. When we get inside, we look at all the empty shelves...And begin to sing: What A Friend We Have In Jesus. Then we all go to the Bahamas."

Jewish Holidays

As a general principle, Jewish holidays are divided between days on which you must starve and days on which you must overeat.

Many Jews observe no fewer than 16 fasts throughout the Jewish year, based on the time-honored principle that even if you are sure that you are ritually purified, you definitely aren't.

Though there are many feasts and fasts, there are no holidays requiring light snacking.

Note: Unlike Christians, who simply attend church on special days (e.g. Ash Wednesday), on Jewish holidays most Jews take the whole day off. This is because Jews, for historical and personal reasons, are more stressed out.

The Diet Guide to the Jewish Holidays:

Rosh Hashanah ----- Feast
Tzom Gedalia ----- Fast
Yom Kippur ----- More fasting
Sukkot ----- Feast for a week +
Hashanah Rabbah ----- More feasting
Simchat Torah ----- Keep right on feasting
Month of Heshvan ----- No feasts or fasts for a whole month. Get a grip on yourself.
Hanukkah ----- Eat potato pancakes
Tenth of Tevet ----- Do not eat potato pancakes
Tu B'Shevat ----- Feast
Fast of Esther ----- Fast
Purim ----- Eat pastry
Passover ----- Do not eat pastry for a week
Shavuot ----- Dairy feast (cheesecake, blintzes, etc.)
17th of Tammuz ----- Fast (definitely no cheesecake or blintzes)
Tish B'Av ----- Serious fast (don't even think about cheesecake or blintzes)
Month of Elul ----- End of cycle.

Enroll in Center for Eating Disorders before High Holidays arrive again.

CHAPLAINS ON CALL

No one is confronted with more situations that demoralize and create emotional, mental and spiritual burdens than today's law enforcement officer. These burdens also affect the officer's family and other members of his or her department. We at the Southern California Shomrim Society want you to know that Jewish Chaplains are available and willing to assist our members and their families during time of crisis, bereavement, illness, and general questions about Judaism and to simply schmooze."

Rabbi Chaim Kolodny (LAPD & LACoFD Chaplain)

Phone: (323) 864-3615

Email: chaimkolodny@sbcglobal.net

Rabbi Stephen Passamaneck (ATF Chaplain)

Phone: (818) 990-0163

Email: pazmaneq@yahoo.com

NATIONAL SHOMRIM AND SHOMRIMSOCAL ON THE WEB

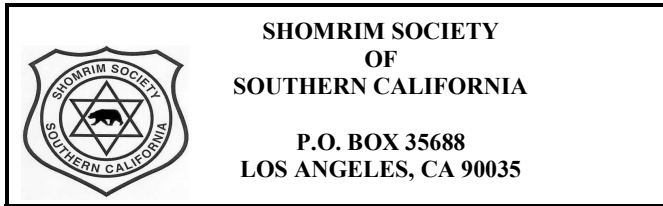
Visit our website. We're at www.shomrimsocal.org just a click away. Get the latest updates on meetings and announcements, read about your organization, look at photos of recent events, etc. Our webmaster Marc Cohen would like to hear from all of you with your comments. Active links to other Shomrim sites, including the National Conference of Shomrim Societies.

The National Conference of Shomrim Societies has a new website due to the efforts of our national webmaster Bonnie Bresalier:

www.nationalshomrim.org. Visit the new website and sign the guestbook and leave your comments.

If you have something you would like added to our website send an e-mail to story@shomrimsocal.org or drop us a letter to our P.O. Box.

HASHOMER



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Please place check mark in front of choice:

- \$18 Initial Membership
- \$36 Renewal Membership
- \$36 Associate Membership

How did you hear about the Shomrim Society of Southern California?

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 2011!

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

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 \$36.00. 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@gmail.com.

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October-November-December 2010 Issue

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