

## Code Enforcement Officer Safety Foundation



# OFFICER SAFETY NEWSLETTER



## Welcome

Summer 2022 - The Foundation has been busy! CEOSF held its Annual Meeting in June and unanimously re-appointed its officers to another year. The Board of Directors set priorities for the upcoming year and reviewed all of the successes from this last year. CEOSF also attended the annual Conference in Florida and spoke to the delegates at the New York Build Officials Conference. We are thrilled with the growing support in the industry and are always looking for additional volunteers to help the cause!

### Our Mission Statement:

"The Code Enforcement Officer Safety Foundation exists to promote best practices for the safety of Code Enforcement Officers throughout the United States; to provide a resource for officers; report incidents; provide up-to-date training and to encourage a high standard of professionalism within our chosen profession."

### Sponsors



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# Body Armor Donated to West Valley City In Honor of Jill Robinson

**West Valley City, Utah** - The Code Enforcement Officer Safety Foundation has donated ten (10) new body armor vests to the entire Code Enforcement Division of West Valley City. As part of the Foundation's mission, funds raised through training and donations will be used to purchase body armor for officers and inspectors in need. The Foundation is honored to provide the Code Enforcement Officers of West Valley City with new body armor. These vests are level iiiia+ that are bullet and stab resistant.

In 2018, West Valley Code Enforcement Officer Jill Robinson went to a property for a scheduled property maintenance inspection with the owner. Upon arriving at the inspection, the owner pulled out a handgun from his walker and shot Jill. He then set her and her truck on fire before setting fire to his neighbors house. He was arrested and convicted.



"We are so thankful and relieved that our mom's entire work family has received these safety vests from the Code Enforcement Officer Safety Foundation! The safety and well-being of our mom's dear friends at West Valley Code means so much to us!" **said Jill's proud daughters, Jessica and Katie.** "We are thankful for CEOSF founders, members, and volunteers for doing all they can to help protect code enforcement officers across the country, through raising awareness, providing training, and providing the safety equipment that they can! Thank you to everyone who has donated! Thank you all for remembering and honoring our mom and her constant acts of kindness! With all our hearts, thank you so much!!!!"

**West Valley Code Enforcement Supervisor, Tumi Young stated,** "We would like to thank the Code Enforcement Officer Safety Foundation and all its donors; it's comforting to know that we have such a wonderful organization that is committed to the safety of the Code Enforcement Officer community. Because of the organization, our Code Officers are in a better position to serve the public and feeling safer after the tragic loss of our sister/friend Officer Jill Robinson. Losing Jill is something I think about and relive every day and something I pray we never have to go through again as a family here at West Valley Code Enforcement. My office window faces the parking lot and when I see one of our officers leave in their City vehicle to go perform their duties as a Code Officer, I can't help but feel a little uneasy until I see them return. These vests give us a sense of pride and safety that we will be able to go home safe to our loved ones as our job is unpredictable in having to deal with the public, approaching their homes. We truly appreciate everything you did to make this happen so no one has to experience a tragedy within their department."



Watch the news coverage: [CLICK HERE](#)

# We Are **RECRUITING**



Are You Ready To Join Our Team? We are looking for Regional Representative Volunteers!

## HELP CEOSF WITH:

- Networking
- Sponsorships
- Training
- Engagement
- Presenting
- And much more!

**APPLY NOW**

[info@codeofficersafety.org](mailto:info@codeofficersafety.org)



## Interested in Volunteering?

Are you interested in volunteering with the Foundation? We are still looking for Regional Representatives and others who are passionate about moving this topic forward. No matter your skill set, reach out to us to inquire. Commitment is minimal in terms of time and you get to be a part of a growing non-profit Foundation. Check out our Volunteer page at [www.codeofficersafety.org/volunteers](http://www.codeofficersafety.org/volunteers) and email us at [info@codeofficersafety.org](mailto:info@codeofficersafety.org)

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# Politics of a Vest (Body Armor)

by Justin Edson, CCEA, COSS, SAS®

I don't want to scare anyone, but I am going to talk about a vest. To some a vest can be scary depending on its color, shape, markings, and comfort. As I write this article I am not aware of any situation in history where a body armor vest killed or injured someone, BUT I am aware that they have saved thousands of lives. What is the difference between body armor and a polo shirt? Besides the fact that body armor can save your life, I would say the number one thought is that a vest resembles Police Officers. **It is unfortunate that we deny access to life saving protections due to the appearance of a piece of equipment.**



I too have faced this challenge. Whether it be from elected officials or decision makers about the level of safety they are comfortable with for employees. I find it sad that as a Code Enforcement Officer I can go to a half-way home (housing for addicts and parolees) due to neighbor complaints, with Police Officers and Fire Inspectors who all have vests, but I was turned down for a vest. The guy who came to the door had a giant knife in his hand, the smell of marijuana was in the air, and they had 2 men to a room for a total of 16 men on this two-unit lot.

Did you know vests can be worn under the polo shirt? Did you know they come in other colors like blue, gray, green, tan, and white? With proper patches identifying inspectors, it should not matter the color of the vest, but nonetheless the options are there. I have seen many Building Officials and Inspectors that have body armor and badges. Our job has dangers whether we want to admit to it or not. **Look at all of the incidents where a Code Official was murdered. None of them were the second Code Official to be murdered in their municipality. They were the first.** So, the notion that our city is safe and nothing will happen is a guess at best. The reason our colleagues want vests are simple – to go home to their families and not become that statistic. Wearing a vest is the same thing as a wearing a seat belt while driving. Are you go to crash every day? No, but just in case you do, you want the protection.

Body armor cannot hurt someone. I understand some folks are hesitant about OC spray, ASP's, tasers, and firearms for Code Enforcement because they are designed to defend yourself while stopping the threat. That is a discussion for another day. However, what can body armor do to another person? Nothing. Body armor is designed to protect the person wearing it from bullets and knives. When you think about our growing statistics (just the tip of the iceberg) and OSHA requirements to make sure employees are safe, why is it so hard to get a vest?

Politics are unfortunate and sadly people just accept it. It is sad that sometimes a terrible incident has to occur for change, but even then, it sometimes doesn't. Look at West Valley City, Utah. Jill was murdered at an inspection in 2018. Since then, no vests were issued. CEOSF donated 10 vests to their entire team so they can feel and BE safe. When vests are denied, I typically hear its mostly due to politics than anything to do with budget. Yet these body armor vests cannot hurt residents or co-workers. **It comes down to a person's personal opinion of the optics of the vest without analyzing the data to see the true need for the body armor. This is politics and not risk management.** Stay safe out there!

## About the Author

Justin Edson is a Code Enforcement Manager in California with 15 years experience in Code Enforcement and Law Enforcement. He is a Certified Code Enforcement Administrator, POST Field Training Officer, Code Official Safety Specialist, Situational Awareness Specialist, and a CACEO Certified Code Enforcement Officer. He has worked for several municipalities and has handled marijuana grows/dispensaries, drug/gang homes, homeless camps, vacant properties, massage parlors, bars, and typical code cases. He has served on the Board of Directors for CACEO and is currently President of CEOSF.

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## CEOSF at State Trainings

The Foundation is honored to have the support of several state associations and for their invitations to come to their trainings. We want to thank their Board of Directors for their continued support of our partnership and working together to promote officer safety in the profession.



### New York State Building Officials Conference

Thank you Vice President Paul Taft for inviting us to speak to the delegation about who CEOSF is and the training available. CEOSF Secretary/Treasurer Jeremy Kovinchick spoke to the delegation in person and provided them information about the COSS training program. We look forward to a great #PARTNERSHIP with NYSBOC!

### Florida Association of Code Enforcement

Thank you to the FACE Board of Directors for inviting CEOSF out to the annual conference to host a booth! It was a great conference, awesome venue, and 350 professionals in attendance. The Foundation would like to extend a very special thank you to Michael Jordan who taught their Officer Safety class. Mike is not only a COSS graduate, but a phenomenal instructor! We thank him for allowing us to speak about CEOSF, raffle away some COSS scholarships, and for having such a great presentation. CEOSF President Justin Edson, Regional Representative Korbin Weese, and Regional Representative Jennifer Dammann were at the conference to manage the booth and interact with so many great people!



CEOSF Justin Edson & Korbin Weese



About to speak to 350 Florida professionals!



CEOSF Justin Edson presents Mike Jordan with the Presidential Award of Recognition

# The SPAR Safety Model

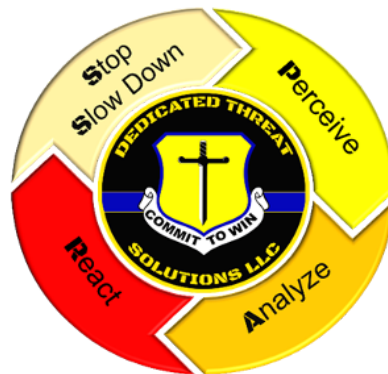
by Scott Kirshner, M.Ed., COSCI, SAS-AP®

*“What is the first business of one who studies philosophy? To part with self-conceit. For it is impossible for anyone to begin to learn what he thinks that he already knows.”*  
— Epictetus

In an earlier newsletter I discussed Officer Safety Principles and Practices. When it comes to the topic of safety there is so much depth and breadth to the information that it can become overwhelming not only to absorb the concepts but more importantly implement them in a meaningful manner that allows you to be safer. Simple is always preferable to complex in reference to safety for a variety of reasons. In this article I will review the SPAR Safety Model which is a simple model to implement even though the layers beneath have significant depth.

## SPAR stands for:

1. Stop / Slow Down
2. Perceive
3. Analyze
4. React



The SPAR Safety Model provides a framework for you to safely perform your job duties. The effectiveness in making safety decisions and implementing a reasonable response at the correct time is dependent on numerous factors such as mindset, training, skill, and conditioning. It is my firm belief that mindset is the most important factor. This is why I constantly emphasize mindset in training courses. Before diving into the details of the model it is important to reiterate two very important points.

### 1. There is no inspection you conduct that is worth risking your life.

This is why I and the Code Enforcement Officer Safety Foundation always advocate the saying of:

#### Every Day; Every Inspection

This means you will make a conscious decision to choose safety every day and with every inspection or job-related task you perform. In order to be safe you must be proactive with your safety!



### 2. Being safe and providing exceptional customer service to the community you serve is not mutually exclusive.

Too often safety and customer service are viewed as an either/or proposition but not both. In reality this is not the case. Always strive to conduct yourself in a manner that is professional, polite, and respectful with everyone you interact. Choosing to be proactive with your safety should never conflict with your department's mission or vision statement. There is absolutely no reason why code professionals cannot provide exceptional customer service and simultaneously be safe.

# The SPAR Safety Model - Continued

For this model to be effective you must make a conscious decision that you will commit to performing your job with safety as a priority. Safety must never be a random by-product of luck.

Let's dig into each component of the SPAR Safety Model.

## 1. Slow Down or Stop When Necessary

"I only fear danger where I want to fear it."  
— Franz Kafka, *The Metamorphosis*

Too often code professionals become task-oriented to the point that they become a slave to their "to-do list." They are singularly focused on checking off tasks while ignoring safety. No list or schedule should ever take priority over safety. This is a recipe for disaster and means you are operating without focus or concentration pertaining to safety hazards. You lack situational awareness and blissfully go through your day in Condition White completely unaware of potential or actual risks. Without situational awareness it is difficult to avoid, mitigate, or respond to dangerous situations. There are serious consequences for such unawareness.

Never become so focused on all the tasks, inspections, contacts, complaints, follow up's, etc. that you have scheduled for the day that you rush from one contact to the next without regard for your safety. Slow down or stop when necessary and make safety your priority.

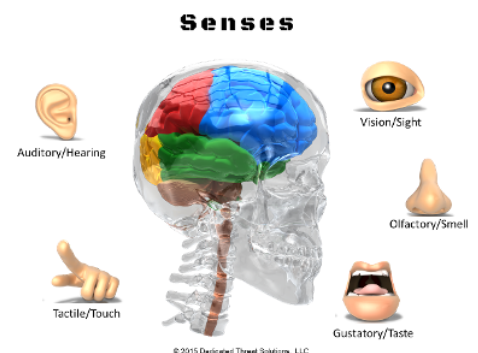
While certain aspects of the job may be routine in that you have a structured format or process in how you perform tasks, you must remember to always fight complacency and understand that nothing is routine when it comes to safety. You must make a conscious decision every day and with every task to choose safety. Your safety is a personal responsibility that you do not get to delegate to anyone else.

## 2. Perceive

"What you see and what you hear depends a great deal on where you are standing.  
It also depends on what sort of person you are."  
— C.S. Lewis, *The Magician's Nephew*

The ability to perceive what is occurring in the environment allows you to be proactive with your safety. This is accomplished by using senses such as vision, hearing, and smell. In other words what do you see, hear, and smell that can negatively impact your safety? The senses of vision and hearing tend to provide the most input. This requires you to actively scan the environment with your eyes to see potential threats and listen with your ears to hear potential problems.

Visually scanning and listening for danger cues is generally not difficult. The complexity arises by all the ways in which your attention can be diverted.



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# The SPAR Safety Model - Continued

Examples:

- As you are driving to an inspection you are listening to loud music on the radio which prevents you from hearing important cues that alert you to danger.
- While driving to a follow up inspection with a business owner you are mentally rehashing how argumentative this individual was during your last contact. You are so focused on the previous contact that you completely tuned out what is occurring in the environment right now.
- You are having an initial contact with a homeowner in reference to several complaints about overgrown weeds and multiple inoperable vehicles parked in the front yard. When talking to the homeowner who is becoming increasingly agitated his wife and two adult children are purposefully redirecting your attention.

NOTE: Always be cautious whenever anyone is attempting to divert your attention as it can be a setup to initiate an ambush attack.

Your senses are a critical component of perceiving danger signals. Pay attention to who is around, what people are saying and doing, suspicious or illegal activity, if too much attention is focused on you, and other safety concerns such as weapons. Additionally, always identify a minimum of two exits or escape routes in case you need to rapidly leave in an emergency.

## 3. Analyze

“If you consciously try to thwart opponents, you are already late”

- Miyamoto Musashi | Japanese Swordsman, Philosopher, Strategist, 1645

The numerous pieces of information you gather must be assigned meaning by determining what is relevant and requires action. Useless information is to be discarded. Faulty analysis can result in a delayed response, inappropriate response, or no response.

You are constantly bombarded with stimuli especially from your visual and auditory senses. The vast majority of input has no safety implications especially pertaining to violent encounters and can be ignored. This is what sets you up to be complacent. Remember the saying: Routine leads to complacency and complacency kills!

When a risk is identified a plan of action must be developed. Depending on your proximity to the danger, the level of violence, and the speed at which the situation is occurring you may be under a significant time constraint to plan and react. Encountering violence especially under a compressed time constraint will often result in high-stress levels which can negatively impact your ability to process information. Your decisions will either be conscious or subconscious and these will be impacted by the quality, consistency, comprehensiveness, and realism of your training! Conscious decisions require use of your prefrontal cortex in order to use your executive functioning skills. This is a slower process in that you have to “think” about what to do during an event where time is a critical factor. A subconscious decision is the result of doing what you were trained to do in a given situation and having the flexibility to adapt to novel situations.

*Any process that must be accomplished in a compressed time frame  
should be relegated to the powerful subconscious mind, through training.*

Ken Good, U.S. Navy SEAL  
Deployment of Illumination Tools

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# The SPAR Safety Model - Continued

This is why comprehensive safety training is vitally important and must include topics and skills related to mindset, situational awareness, fear management, verbal de-escalation, and the ability to neutralize violent attacks in scenario based training evolutions. Those who continue to ardently advocate for “just walk away” lack understanding of human behavior and violence.

## 4. React

“The will to win beats the skill to win.”

The conclusions of your analysis should be used to decide on a response based on the threats actions. In a perfect world situational awareness would allow you to identify pre-incident indicators and leave the area prior to any contact leading to a physical altercation. Unfortunately situational awareness does not guarantee that you will always identify threats. This is proven daily by news reports of crimes such as robbery, kidnapping, assault, sexual assault, and homicide. The threat has a say in the outcome of the encounter and can often choose the time, location, and method of violence. When you are not afforded the opportunity to avoid or mitigate a confrontation from escalating to violence you will need skills to defend yourself. Any chosen response must be legal, moral, ethical, and within department policy.

### Simple, Yet Comprehensive

*There can be life or death in the time-sensitive space between stimulus and response.*

When you see a professional baseball player hit a 94 mph fastball it looks easy and effortless. Yet, there are many pieces that must come together perfectly to make that happen such as hand/eye coordination, visual tracking, timing, grip, balance, stance, weight distribution, foot placement, swing, rotation, follow through, etc. Similarly, your ability to avoid, de-escalate, and defend against violence also has many components. But unlike a sporting with well-defined rules and referees the cost of ineffectively defending your life can be severe and permanent!

The SPAR Safety Model is simple to understand. Yet, it is comprehensive when you aggregate all the concepts and skills that comprise the model. For those who completed the Code Official Safety Specialist (COSS) training program now is the time to begin thinking about the relationship and integration of the SPAR Safety Model with concepts such as mindset, situational awareness, color codes, OODA Loop, combat breathing, the Fear Model, cover & concealment, body language, and other aspects covered in the program. Your knowledge, understanding, and application of these concepts will significantly improve once you begin to understand these relationships. When you are able to instinctively apply the concepts you will have gained a level of mastery of the course material. The result is that you will be much safer both on and off duty. And when you are capable of applying all of these concepts with the factors of “Time-Distance-Environment” you will truly reach a level of proficiency. It is then that you will understand how a time increment as small as 0.25 seconds can be the difference between life and death. That is empowering!

For those who have not yet signed up for the **Code Official Safety Specialist (COSS) ON-DEMAND training** visit: <https://www.codeofficersafety.org/training>

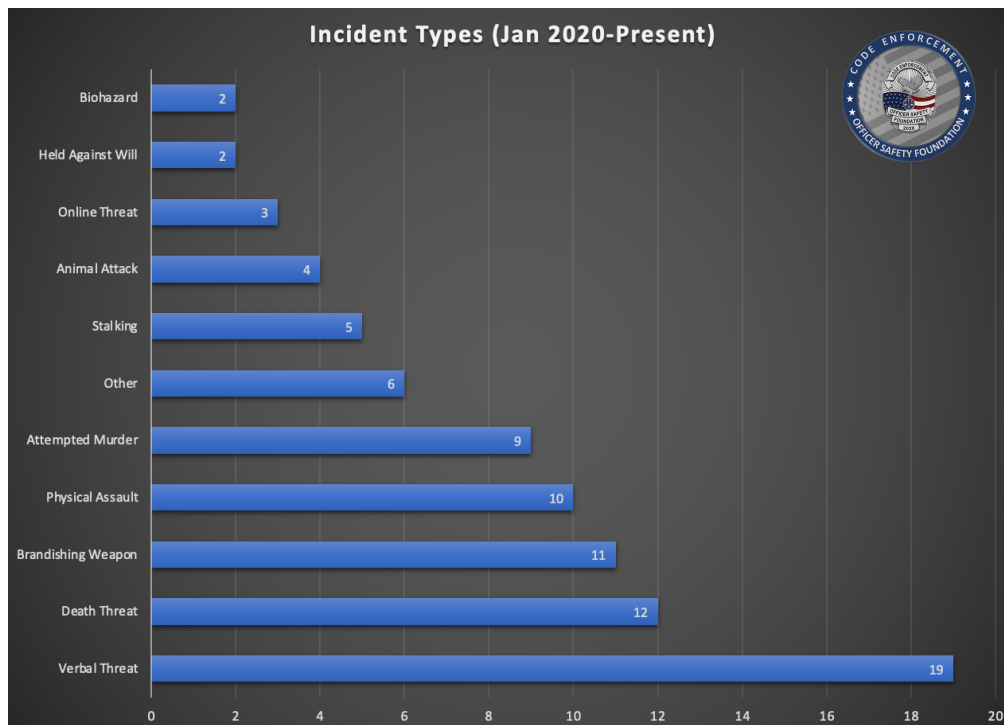
Remember, you don't get to delegate your safety to anyone else!

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### About the Author

Scott Kirshner, M.Ed., COSCI, SAS-AP® has been a Parole Administrator, Supervisory Probation Officer, and a Corrections Officer. He has extensive experience as an officer survival trainer and has been a lead defensive tactics instructor, firearms instructor, and use of force instructor. He is the author of Officer Survival for Code Enforcement Officers. Mr. Kirshner is the owner and Lead Instructor of Dedicated Threat Solutions, LLC. He can be reached at: [info@dedicatedthreatsolutions.com](mailto:info@dedicatedthreatsolutions.com)

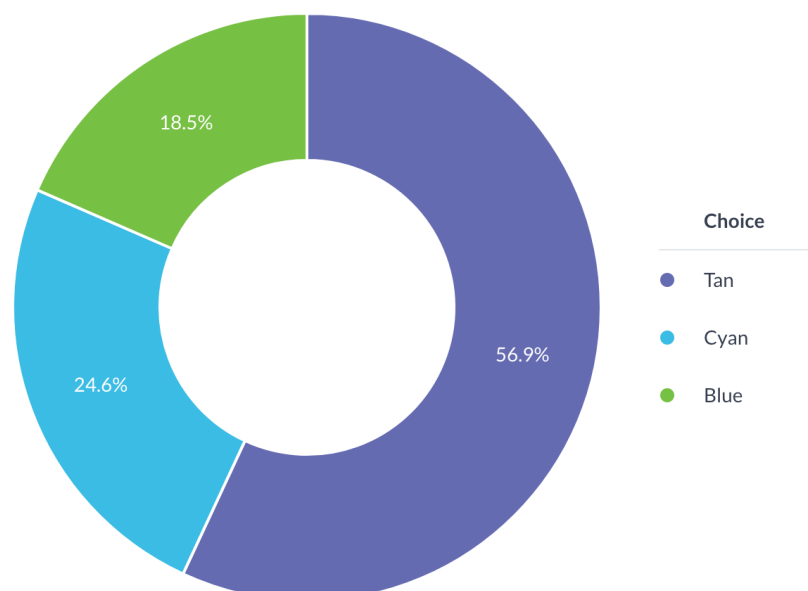
# Incident Data



This is data from January 2020 to present that has been reported to CEOSF. A total of 84 incidents have been reported to us nationally during this period. We have an updated feed of these incidents and their details on our "Statistics" page on the website. Please do not forget to report any incidents that occur to you. As you can see on our website, we keep everything confidential and only share the state, date, and description.

Report incidents: <https://www.codeofficersafety.org/report-incident>

## Thin Line Survey Results



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# 1st Amendment Auditors - Patriots or Provocateurs? (Pt. 2)

by Kirk Palmer, Master Code Officer (GA), COSCI

In my last installment, I briefly explained who the 1st Amendment Auditors were and what occurs during a “1st Amendment Audit.” I ended the article asking the reader to remember this statement: **“Taking photographs, or recording from a public place, in and of itself does not constitute suspicious activity...”** Now, I’ll explain its significance and its origin...

On November 2, 2017: 1st Amendment Auditor, Terrell Clayton, was on the sidewalk outside the Falcon substation of the Colorado Springs Police Department videoing marked police cars. He was NOT in a restricted area. He was soon engaged by two CSPD officers. Clayton refused to identify himself stating “what he was doing was not suspicious activity”. One officer was quoted as saying “being suspicious is a misdemeanor.” That ill-advised statement, would be very costly to the city in a later lawsuit... Clayton was detained for approximately 30 minutes and let go without being charged. The next day he filed a complaint for “illegal detention.” Later, he was represented by the law firm, Killmer, Lane and Newman, who ultimately filed a civil lawsuit on Clayton’s behalf, citing violations of his 1st and 4th Amendment rights. On June 2, 2018 the City of Colorado Springs settled the case by paying \$41,000 to the Plaintiff, Clayton. The CSPD admitted no wrongdoing; however, a policy (CSPD General Order # 1551 – Section 15 – subsection 4.) was changed to Include the verbiage: “Taking photographs, or recording from a public place, in and of itself does not constitute suspicious activity.” In addition, the police department had to make a video covering 1st Amendment rights, and, per the court’s order: the video had to be produced, reviewed by the city attorney, and viewed by all officers no later than December 31, 2018.

In the United States we live in a free society governed by the US Constitution, and the First Amendment to our Constitution guarantees the “freedom of speech, or of the press.” Unfortunately, many Government Officials are ignorant of what that constitutes. As a result of that ignorance, or worse yet arrogance, monetary settlements and new policies are ordered by the courts. These unpleasant situations can be avoided if Government Officials: (a) check their ego at the door, and (b) know the law. Although no Supreme Court decisions directly address a photographer’s First Amendment rights, the rulings closest to that issue involve expressive speech. The US Department of Justice and the courts have indicated that “public photography” is considered freedom of speech [or expression] and is therefore protected by the 1st Amendment. Plus, all 1st Amendment Auditors claim to be “journalists” researching a “story.” Next time, I’ll review case law that 1st Amendment auditors often quote when confronted by Government Officials. So... Stay alert and don’t get hurt!



## About the Author

Kirk Palmer, COSCI is a Master Code Officer (GA) with 26 years of public safety experience. He is currently the Code Compliance Supervisor for Forsyth County, Georgia. In addition, he is an Officer Safety Instructor for the Georgia Association of Code Enforcement Officials (GACE) specializing in Extremist Groups and a CEOSF Officer Safety Certified Instructor (COSCI).

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# Special Hazards Awareness For Code Officials

by Dean Phaneuf, COSCI, CCEA, COSS, SAS-AP

The theme of officer safety should not drive code officers to paranoia, but rather, be one element of our holistic development. We wake in the morning to the familiar sunrise; we nourish ourselves, practice our personal hygiene routine, and map out the day before us. It's well rehearsed, and immensely intentional. We know on a subconscious level that each of these things holds a key to success, health, and longevity.

The practice of officer safety integrates well to this rhythm of life. Once we've left our homes for the day, we find ourselves in a series of distinct environments, each with its own level of familiarity or strangeness. Just as we structure our homes in a way that provides a comfortable level of functionality and safety, it's important that we create a mental structure through which we perceive and interact within the day's various environments. Whether on the roadways, in the office, within public places, or on inspection sites, our presence is required in many spaces within which our control is limited. Where we lack control, we may instead exert influence on behalf of our safety, by developing mindsets, practices, and capabilities that reduce danger and provide us with advantages.

Hazards may often present in the form of hostile persons, but just as we prepare for our work, hostiles may be practicing their own malevolent trades. Various objects, processes, and environments that create persistent hazards may characterize such practices. Such hazards may pose continuing danger, even when not actively under the control of their creators.

Examples of such activities include the manufacture of homemade explosives ("HME"), improvised explosive devices (IEDs), illicit drugs, and other hazardous devices or materials.



While each of these activities is accompanied by unique hazards, each is an intentional process, which incorporate particular materials, tools, and processes. Acquiring an awareness of these materials, tools, and processes is key to recognizing the presence of the accompanying hazards that they present.

Whether materials or devices are merely experimental in nature, intended to target inspection staff, or are otherwise purposed, the dangers are similar. Unlike hostile persons, the inanimate danger does not discriminate. Unlike hostile persons, these hazards may be less intuitive to recognize, but simpler to mitigate, once perceived.

The Code Enforcement Officer Safety Foundation exists to promote best practices for the safety of code officials, provide resources, report incidents, provide up-to-date training, and encourage a high standard of professionalism. In line with this mission, the Foundation will be offering a training series featuring Special Hazards Awareness for Code Officials. This series will provide a baseline of knowledge intended to enhance safety through familiarity. Courses will expose learners to terminology, images, processes, and real-world examples of man-made hazards that may be encountered in the field.

A bomb squad anecdote tells of a response to assist officers encountering "dummy" hand grenade bodies found during search of a probationer's storage unit. The officers provided assurance that nothing of interest was located at the suspect's residence. Upon initial entry to the "searched" bedroom of the suspect, bomb technicians immediately recognized all of the materials needed for "conversion" of the dummy grenades into live, improvised ordnance. The officers had performed a thorough search, but were simply unfamiliar with the components used to construct a device.

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# Special Hazards Awareness For Code Officials



Special hazards, being infrequently encountered, fall into the risk category of “low incidence/high consequence” events. It is essential to have an awareness of special hazard threats as well as a rehearsed response. Pre-exposure to hazards in a controlled environment will assist code officials in recognizing threat items in the field.

Rapid threat appreciation is key to executing a protective response. Basic defensive concepts covered in the Code Officer Safety Specialist curriculum also apply to inanimate threats; minimizing TIME on target, maximizing DISTANCE from the threat, and utilizing SHIELDING to provide physical protection against personal injury.

Code officials frequently find themselves in areas that are conducive to clandestine activities: private structures and open spaces, rural areas, businesses, and public lands. Whether threat items are found in pre-constructed component form; completed substances/devices; or are found in “armed” (imminently dangerous), spent, or in waste or byproduct states, danger is present in more than one respect. A primary concern is the physical danger presented by the material or object itself. A secondary hazard may be created by the code official’s response.

Just as one must “sell” an inspection, and gain the cooperation of a party granting consent to inspect, sales skills become even more crucial if a specific threat is encountered while on site. Perhaps the best response is “ignorant bliss,” or intentionally not “recognizing” the threat. In cases where this isn’t possible, because the threat is obvious, “approval” is an option. Making casual conversation about an obvious observation may help normalize the item or provide an alternate, innocent narrative to set all parties at ease. While each situation is unique, everyone is looking for approval and understanding. It’s perfectly okay to sweet talk your way to safety. Once in a safe location, the code official should immediately contact the appropriate authorities.



The most important concepts are universal; know why you’re on the property; do your best to be aware of permitted and/or historical uses prior to arriving; recognize things that are out of place, unfamiliar, or consistent with known threats; and take appropriate protective action considering the factors of TIME, DISTANCE, and SHIELDING.

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## About the Author

*Dean Phaneuf, COSCI has over 42 years experience in law enforcement and currently serves as a Code Enforcement Manager in California. Dean was a Police Sergeant, Bomb Squad Commander, SWAT Member, and a Detective. He also served as a Special Deputy U.S. Marshal assigned to a FBI Joint Terrorism Task Force. He is an AACE Certified Code Enforcement Administrator, CACEO Certified Code Enforcement Officer, and has numerous trainings related to explosives, including the FBI Hazardous Devices School.*

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# Recent Incidents

**June 16th (FL)** - I stopped a older male who was illegally selling produce in the right-of-way. After I identified myself and my position and explained why he couldn't be there, he told me if he had a gun he would have shot me and that if he was 20yrs younger, he would also kicked my ass. He said code enforcement is the reason people go postal and kill people and that I was doing that to him. He eventually left without further incident.

**June 12th (FL)** - Two individuals were harassing patrons at the café' while on beach detail. I was asked by the employee to ask them to leave. They became verbally abusive toward the employee and myself. PD were called to assist at which time they were removed from the island.

**May 20th (CA)** - While executing an abatement warrant, the property owner exited his residence and threatened to kill myself, my coworker, Public Works staff, and the Deputies on scene if we did not leave his property. Once the abatement work started, the property owner exited his residence and said we are on private property. He then stated, "don't touch a thing, if you do, I will go inside, get all of my ammunition and shoot you all dead, how about that, because I don't care anymore." After a couple of minutes, the property owner was detained by the deputies on scene when trying to enter his residence.

**May 2nd (GA)** - On Monday May 2, 2022, our office received a voicemail from an irate complainant, who did not like how our office was investigating a situation near his house. Basically, an officer had issued a summons to the violator and the violator had failed to show up at court. The property was still in violation and the complainant (who is anonymous/no info) is angry at the perceived lack of action by Code Compliance... The following is a transcript of what the complainant said in his voicemail: "I've done called you people about \_\_\_\_\_ out here on \_\_\_\_\_ road... Nobody seems like they want to do a (expletive) thing about it... They (referring to the violator) suppose to show up in court an didn't... If I have to take the law in my own hands... an I'm telling you right (expletive) now that it can be done... I'm (expletive) tired of messing with you an you won't come out here an (expletive) see what's going on but that the kind of (expletive) people we have elected in \_\_\_\_\_ county! Something by God is going to be done... an I'll be coming to see you all at Code Compliance too (expletive)!"

**April 21st (CO)** - Upon attempted contact with occupant of rental on follow up on dog waste violation on back porch, occupant became very agitated and continued escalating. Although an attempt was made to calm him, it became a hazardous situation due to the individual in crisis. Departed the immediate area. A call for the core team was requested, this is a crisis intervention team with a sworn officer and a mental health specialist. The individual was eventually called out of the rental, sedation was given by medics and he was transported to hospital for an M-1 evaluation. Probable schizophrenia with a diabetic precursor to add to the intense episode

**April 6th (OK)** - Resident called upset about notice given for tall grass. He stated if he ever sees our agency out by his property, we will take us all down.

**April 5th (OK)** - We responded to a homeless encampment and one of the residents was a convicted felon and had a fire arm. We were lucky to have PD on site.

**Report incidents:** <https://www.codeofficersafety.org/report-incident>

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# Lessons Learned From a Code Enforcement Attorney; A Perspective After Taking CEOSF's COSS Training Program

by Valerie D. Escalante Troesh, COSS

When starting my legal career representing public agencies, I quickly learned the priority in public agency work was serving the community and, relatedly, engaging directly with citizens. This became even truer when I began specializing in code enforcement work, advising on and litigating code enforcement matters for public agencies across California.

Normally I am in the background advising City staff, including community compliance directors, code enforcement supervisors, building officials, and the boots on the ground officers. But when it comes to the most difficult of properties and escalated code enforcement, I often join meetings with disgruntled property owners and attend property inspections. For these sorts of property inspections, some are done with consent others after obtaining inspection warrants, and they pertain to all kinds of properties, from residential, commercial, industrial, mixed-use, to open lots. Usually when lawyers are brought in, this means that no cooperation is being had and tensions, more often than not, are running high.

I remember the first time I stepped into an abandoned property with squatters and drug use going on. I remember the many times I've entered dilapidated structures with responsible parties living on site or on trailers on site. I remember entering into large apartment complexes and hotels, managed in substandard conditions with occupants of varying backgrounds still occupying the spaces. A resounding theme in these inspections and all inspections was and has been ensuring the safety of the public agency attendees and keeping occupants calm and informed, while performing the inspection tasks at hand. Training, experience, communication, resources available all played a part.

## Safety Practices Are The Key Tool

In helping jurisdictions up and down the State in general code enforcement and litigation involving Health & Safety Receivership, Drug Abatement Act and Red-light Abatement Receiverships, Nuisance Abatement and more, I've seen a wide range of training, experience, communication, and resources available for code enforcement teams for their duties, from differing levels of law enforcement assistance, safety equipment, plans on safety practices for making contact and entry, among many other factors. I've witnessed some of the best code enforcement officers handle their responsibilities safely and with no incident, both on their own or as part of a team.

After advising code enforcement teams while attending roughly 70 plus inspections and advising in hundreds of code enforcement cases, **I've come to recognize something key: there can never be enough focus on safety and implementing key safety practices.**

In recent years, I've even represented jurisdictions in obtaining restraining orders against individuals who make threats of violence or engage in stalking behavior towards city staff for their code and law enforcement work. Having legal resources available to protect our code enforcement community is great, but these often require having advanced knowledge of threats, which is not a guarantee. **Safety cannot be only an after-the-fact priority.**

About a year ago, I learned about CEOSF and its mission: to promote best practices for the safety of Code Enforcement Officers throughout the United States; to provide a resource for officers; report incidents; provide up-to-date training and to encourage a high standard of professionalism within our chosen profession. I knew I had to do something to help this group and now am its volunteer Legal Director.

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# Lessons Learned From a Code Enforcement Attorney; A Perspective After Taking CEOSF's COSS Training Program

## My Experience Going Through Code Official Safety Specialist (COSS) Training

In order to best serve CEOSF, the public agencies I represent, and to better protect myself, I realized I needed to fully understand the COSS program CEOSF offers to help promote code enforcement officer safety. What better way to do so than go through the COSS certification program? Thus, this past May, I completed the 15-hour training program, covering 5 courses on safety (Tactical Mindset; Fear Management; Verbal De-escalation; 3 Phases of a Contact; and Surviving a Violent Encounter). It was amazing how practical and applicable it was to situations I had experienced.

I think the biggest takeaway I had, in both reflecting on the program and my experience representing code enforcement teams, is this: officer safety is faceted and while we may not have control of all facets—the forces bearing on officer safety—we can take some control by investing in our own safety, focusing on safety in our enforcement teams, educating our broader jurisdictions about officer safety, and advocating for safety measures to our state governments and professional organizations.

## Protecting Code Enforcement Officers Through Law And Our Own Actions

California recently set the stage with the legislature's passage of Senate Bill 296, requiring each local jurisdiction that employs code enforcement officers to develop safety standards appropriate for the code enforcement officers employed in their jurisdiction. This came after individual code enforcement officers in California came together, with their State association, and lobbied for code enforcement officer safety legislation. Now California jurisdictions, by law, must focus on code enforcement officer safety.

Complying with this law, and protecting its officers, has been a focus for many of the jurisdictions I represent. I've been able to help numerous jurisdictions with their safety standards here in California, ensuring they are tailored to their needs and meet a generally accepted standard of safety. CEOSF is also part of this dialogue and is offering information and training throughout the State on safety practices.

Of course, for code enforcement officers and their teams in any region of the country, they can take control and focus on safety – even if legislation doesn't require it. All jurisdictions would be best served if individual officers and the agencies they work for prioritize safety. Being part of CEOSF—reading these newsletters, obtaining the COSS designation, and utilizing your knowledge—is a great step. I encourage you to think about ways to advance safety in your workplace and the greater profession.

### Key Questions Everyone Should Consider:

- Do you have consistent personal safety practices when assessing a code enforcement case and entering the field?
- Does your team have safety practices and standard procedures in place? This might include:
  1. Due diligence in researching properties and owners before visiting a property to understand the locale and what you might encounter;
  2. Advance strategizing for property visits and inspections (for individuals and teams);
  3. Plans of action, including exit routes, areas for concealment and/or cover, and means of self defense if escape is not possible, should a property visit become dangerous;
  4. Means to identify where code enforcement officers are when in the field if they go missing;
  5. Issuance of safety equipment, training for that safety equipment, and routine inspection of and practice with safety equipment.
- Are you and/or your team aware of pertinent self-defense and use of force laws and policies?
- Does your team support training on safety best practices; if not, are you doing anything in your individual capacity to get the training you need?



# Lessons Learned From a Code Enforcement Attorney; A Perspective After Taking CEOSF's COSS Training Program

Reflect on these questions, start dialogues about these questions, and consider changes in your and your team's actions to support safety. Wherever you may be in the range of safety practices, any time is a good time to assess and make any tweaks needed to better focus on safety.

This article is for informational purposes only and is not intended to provide legal advice.

## About the Author

Valerie D. Escalante Troesh is a specialized code enforcement attorney and partner with Silver & Wright Law LLP in California. She has advised cities across California on their safety standards and complying with SB 296. She has extensive experience litigating in California and Federal courts and has represented public agencies in matters ranging from affirmative nuisance abatement actions, receiverships, to defensive suits when code and law enforcement officers are challenged in their duties in the field. Valerie also helps public agencies obtain restraining orders in California State Court to protect employees from threats of violence in the workplace. Valerie is a frequent speaker on code enforcement and offers pro-bono seminars for non-profit groups. She is also the Legal Director of Code Enforcement Officer Safety Foundation. The author can be reached at: [VEscalanteTroesh@SilverWrightLaw.com](mailto:VEscalanteTroesh@SilverWrightLaw.com).



CODE ENFORCEMENT OFFICER SAFETY FOUNDATION


## CODE OFFICIAL SAFETY SPECIALIST


### Safety Training for All Code Professionals

The COSS training program is 15 hours of virtual learning on 5 subjects. Each class builds on the one before and it is the only international officer safety training program for the industry. Learn at your pace and earn ICC and state CEU's. Each class comes with a downloadable PDF workbook. Join the hundreds of COSS graduates today!

#### Module 1: Tactical Mindset

Topics covered include officials killed in the line of duty, dedicated threat, combat mindset, faulty assumptions, complacency, instructional self-talk, situational awareness, color codes, OODA loop, basic safety principles, mental awareness, preparation, and conditioning.







#### Module 2: Fear Management

Topics covered include fear, psychological and physiological reactions to stress, inverted "U" hypothesis, perceptual distortions, fear model, ambush attacks, startle flinch response, stimulus-response, combat breathing, and more!

### Module 3: Verbal De-escalation

Topics covered include the violence spectrum, goal of violence, verbal de-escalation, communication barriers, de-escalation strategies, proxemics, paraverbal communication, body language, 4 stages of a crisis, and crisis intervention.





### Module 4: Three Phases of a Contact

Topics covered include officer safety practices, working with a partner, identifying exits, 3 phases of a contact, pre-contact research, components of a first aid kit, use of social media, parking, the "front" door, inside the residence, observing illegal activity, handling a hostile armed subject, and post-contact debrief.

### Module 5: Surviving a Violent Encounter

Topics covered include use of force, survival mindset, realities of a violent confrontation, self-defense requirements, factors in violent encounters, reactionary gap and reactionary time, defensive targets to consider, multiple attackers, avoiding the ground, light as a weapon, and cover vs. concealment.

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# Thank You Partners!

CEOSF wants to thank all of our partner associations and sponsors! We appreciate state associations supporting the Foundation and the topic of officer safety for their members. It is important to recognize these associations for their commitment to their membership and keeping them safe. It is exciting to gain the support of the International Code Council (ICC). The Board of Directors met with their executives and were thrilled to hear of ICC's passion for the safety of the professionals in the building safety industry.



## In Memory

From April through June we remember and honor those who have died serving their communities.

July 3rd – **EARL EUGENE BOWMAN**, Indiana  
(20th anniversary - Murder)

July 22nd – **LISA MARIE MELANCON**, Washington  
(12th anniversary - Murder)

August 5th – **DAVID FLEETWOOD**, Pennsylvania  
(9th anniversary - Murder)

August 9th – **JILL ROBINSON**, Utah  
(4th anniversary - Murder)

August 19th – **CYNTHIA VOLPE**, California  
(30th anniversary - Murder)

August 20th – **CHARLES "CHIP" CASE**, Georgia  
(2nd anniversary - Murder)

August 21st – **KATHY ANN COX**, Georgia  
(14th anniversary - Vehicle Accident)

August 29th – **DEANGLIS GIBSON**, Florida  
(1st anniversary - COVID-19)

August 31st – **JEFF ZIEGLER**, Ohio  
(2nd anniversary - Medical)



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## Contact Us



### **Newsletter**

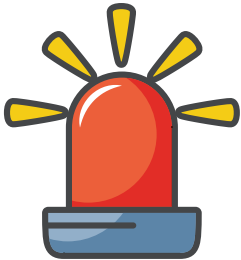
*Please contact us if you have a question regarding our newsletter, would like to see a specific topic in the next one, or would like to be a contributor.*

*For general questions & newsletter requests: [info@CodeOfficerSafety.org](mailto:info@CodeOfficerSafety.org)*



### **Partnerships**

*If you would like to become a recognized partner as an association that supports us or as a donor, then please contact Justin Edson at [justin@codeofficersafety.org](mailto:justin@codeofficersafety.org)*



### **Body Armor Donation Requests**

*Are you a Code Enforcement Officer in need of body armor and either can't afford it or your agency does not provide one? Please fill out our Request A Vest form at [www.codeofficersafety.org/requestavest](http://www.codeofficersafety.org/requestavest)*



### **Remember to Report**

*The data we collect is dependent on you reporting incidents when they occur. The data is used by state associations and jurisdictions to make a case on officer safety legislation and equipment. Whether you were threatened, assaulted, stalked, or attacked by an animal; it is all important data. We keep your information and agency information private.*

# **[www.CodeOfficerSafety.org](http://www.CodeOfficerSafety.org)**