# Code Enforcement Officer Safety Foundation



# OFFICER SAFETY NEWSLETTER



# Welcome

**Fall 2023** - We are busy this Fall attending numerous conferences across the country! We thank our partners who invite us to get the word out about officer safety. A special thank you to the Texas Environmental Health Association (TEHA) for also offering our COSS training live and in-person over 2 days with our Lead Instructor, Scott Kirshner. Thank you to all of our 8.09 Donors who help us stay open and donate body armor!

In this issue you will see all the new volunteers that have joined the team and important articles. Be sure to reach out to us if you would like to see a specific officer safety topic discussed. This November we are excited to celebrate our 3rd anniversary serving the profession!

### **Our Mission Statement:**

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

### **Sponsors**







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### **ANNOUNCEMENT**

# President's Message

Can you believe this November we hit our 3 year anniversary? In the midst of the historically challenging year of 2020, the Foundation formed. In the last three years we have donated over 50 body armor vests, valued at over \$35,000. The Foundation welcomed dozens of passionate volunteers from across the country who saw the need to focus on safety. We also partnered with ICC to launch the first ever international Credential of Learning Achievement (CLA) for Code Official Safety. We created lasting relationships with AACE, NACA, state associations, ICC chapters, and our friends in Canada (OAPSO). To say the last 3 years have been busy is an understatement. We are proud of the progress made and the friendships formed.



This was the first year the Foundation has created a 5-year strategic plan which will help guide us to achieve our goals. I am so honored to serve with Vice President Timothy Sun, Secretary/Treasurer Jeremy Kovinchick, Director Kirk Palmer, and Director Travis Guess. This Board works cohesively with each other and has agreed to keep politics and games out of our organization since day one. Our mission is to be a voice for the profession and pull the topic of officer safety out of the shadows of politics.

During the months of September and October, the CEOSF team will be at 8 conferences to share resources and represent officer safety. This would not be possible without the Foundation's phenomenal Regional Representatives that spend time away from work and family to promote safety at these state and national conferences. Thank you!

If you have not heard, the Foundation launched the **8.09 Donation Program** in honor of Officer Jill Robinson who was murdered on August 9, 2018. For just \$8.09 a month, you will be supporting this 501c3 nonprofit charity. It is because of these donations and training registrations that help us donate more body armor, scholarships, and increase our global reach. For the cost of a Starbucks coffee each month, you will be helping us do more.

Thank you for your support over the last 3 years! We could not do it without all of the support and donations. Thank you to our Regional Representatives for the hard work! Thank you to our partners for the support and friendships!

Warm Regards,

Justin Edson, CCEA, COSS
President - Board of Directors

Justin Edson

# **Welcome Our New Regional Representatives**



**JASON ARBOGAST (Washington)** 

Jason was appointed as the Region 2 Representative by the Board of Directors in July 2023. He is a Code Enforcement Officer in Washington. He is a past recipient of our Request A Vest Program. Jason has 12 years of Law Enforcement experience and earned his Code Official Safety Specialist (COSS).



**DAVID GENSLER (Texas)** 

David was appointed as the Region 10 Representative by the Board of Directors in July 2023. He is a Code Enforcement Officer in Texas and has over 37 years in public service. He is a Certified Code Enforcement Officer through AACE and has his ICC Commercial Building Inspector certificate.



**ANDREW MARTIN (Kentucky)** 

Andrew was appointed as the Region 5 Representative by the Board of Directors in August 2023. He is a Code Enforcement Officer in Kentucky. He has prior experience as a Deputy Jailer, Parole & Probation Officer, and a Family Care Manager. He is also a Volunteer Firefighter.



**REAGAN WALSH (Virginia)** 

Reagan was appointed as the Region 7 Representative by the Board of Directors in September 2023. She is a Planning/Zoning Administrator in Virginia. Reagan served 10 years in the U.S. Army and has Law Enforcement experience.

# **Body Armor Donated this Quarter - 7 Vests**





# **New Sponsor!**

The Foundation would like to thank the Southern Nevada ICC Chapter for their generous donation! We are grateful for the partnership your chapter provides the Foundation. Thank you to the Board of Directors for your support of safety for Code Officials and working with us to increase awareness!



As a 501(c)(3) registered nonprofit charity, we rely on sponsors and donations to stay open. This is a great example of an ICC Chapter or Association using their funding to support other organizations within the profession. **CEOSF commends the Southern Nevada ICC Chapter Board of Directors for taking this large step forward and donating to an industry charity.** 

CEOSF President Justin Edson stated, "On behalf of the Foundation, I want to express our sincere gratitude to the Southern Nevada ICC Chapter for their sponsorship and donation. This is a monumental step where a professional organization donates to our mission driven charity. We graciously hope other organizations in the industry follow suit."

A special thank you to CEOSF Regional Representative Matthew Meanea for representing the Foundation in Nevada and building this partnership.

### **CEOSF** in the Field



CEOSF Secretary/Treasurer Jeremy Kovinchick represented CEOSF at this year's AWAC Conference. Thank you for your support! It was a great conference!

**Colorado Springs, CO** 

**Animal Welfare Association of Colorado (AWAC) Conference** 



Virginia Beach, VA

Virginia Association of Zoning Officials (VAZO) Conference



CEOSF Regional Representative Jeremy Cleary met with many amazing folks at the VAZO Conference. Thank you VAZO Vice President Aaron Shura for your support and earning your COSS!

It was an exciting conference with extra activities and live music. It was great to meet so many supporters of officer safety! Until next time!



# **International Annual Awards - Apply Now!**



The application period is now open for our international awards! Closes October 15th. Please visit our News page to learn more and apply: https://www.codeofficersafety.org/news

### Homeless Camp Hazards - Part 3

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

### "The unseen enemy is always the most fearsome."

~ George R.R. Martin, A Clash of Kings

In our last installment, we discussed the human vectors that might be encountered when investigating a homeless camp. These vectors included the dangers of Blood-borne pathogens, Biohazards, Airborne pathogens, and Booby traps within homeless camps. In this installment, I will discuss natural vectors that can endanger a code official when he or she enters a homeless encampment. The scary part is that the danger may not be seen until it's too late.

### Natural Vectors:

- Dogs: Dogs are often used as "lookouts" or guard dogs by homeless individuals.
- Vermin, such as rats and mice, often nest in garbage and can carry disease.
- Insects, i.e., spiders, scorpions, and mosquitoes, which can nest in abandoned tents, garbage, and stagnant water;
- · Ticks: always present in wooded areas;
- Snakes, both non-venomous and venomous;
- The terrain itself: one way in, one way out; natural ambush points

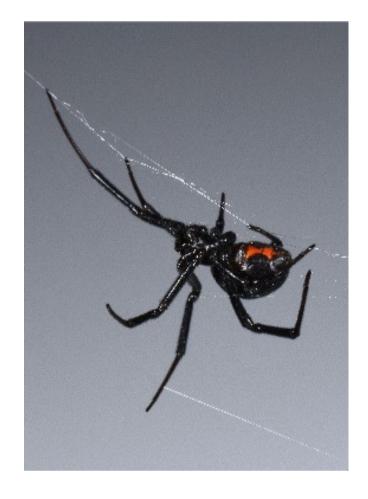
Dogs, especially large breeds, can be an extreme hazard, especially if the owner has trained them to attack. Smaller dogs, although less dangerous, are often used as "lookouts" because of their propensity to bark when people approach the camp. Where discarded food is found, rats and mice will be found as well, and decaying food is always present in camps. If rats and mice are present, snakes will be close by, both non-venomous and venomous, and they present their own issues, especially venomous snakes. Also, rats and mice carry fleas, which can spread disease. Spiders, scorpions, and other stinging insects, especially for people who are allergic, can be extreme hazards. Ticks and mosquitoes are major disease vectors. Camps with one way in and out or "rough" terrain can set up natural points of ambush

### How can a code official mitigate these potential hazards?



- Apply insect repellent before entering a camp;
- Wear gloves leather or Kevlar are best;
- Invest in a pair of snake "chaps" if venomous snakes are prevalent in the area;
- Have Animal Control assist if intel suggests the likelihood of dogs being present;
- If allergic to insect stings, always have an epi pen on your person;
- Have a first aid kit readily available.

Another best management practice is to review a GIS or topographic map of the area to identify potential ambush areas. I have investigated dozens of homeless camps over the years, and I have encountered virtually all of the natural vectors mentioned above at some point. To reiterate, situational awareness and keen observation skills are a must when investigating homeless encampments. Just because you "look" doesn't mean you "see". Use common sense, and don't take any unnecessary chances that you don't have to. There is no inspection or investigation worth your life or well-being. Until next time, stay alert and don't get hurt.



### About the Author

Kirk Palmer, COSCI is a Master Code Officer (GA) with 28 years of public safety experience. He is currently the Senior Code Official for White County, Georgia. In addition, he is an Officer Safety Instructor for the Georgia Association of Code Enforcement Officials (GACE), specializing in Extremist Groups and Gangs.

# Situational Awareness in Officer Safety Part Two - The Eyes

by Christopher Mandala, COSCI, COSS



In the first installment of this series, we discussed the importance of watching everyone's hands. If you missed the article, I invite you to go back and read it. You will find it in the summer newsletter.

"The eyes are the window to the soul" is a phrase that has many historical roots including the Bible, William Shakespeare, Leonardo Da Vinci, Cicero, and others. Eyes have been described as conveying feelings of kindness, love, compassion, passion, emptiness, sadness, fear, and anger.

We all know pupils dilate (enlarge) and constrict to change the amount of light entering our eyes and how cameras do the same thing with their apertures. These changes in pupil size are autonomic, requiring no conscious effort on our parts and they enable us to see as clearly as possible among a multitude of lighting conditions. Scientists have also determined our pupils dilate during moments of deep love and passion as if our bodies are craving to invite in as much of the object of our admiration as possible. However, pupils also dilate when the body experiences feelings of fight or flight, increasing our night vision. This is most likely related to primal survival instincts where our bodies are suddenly flooded with adrenaline.

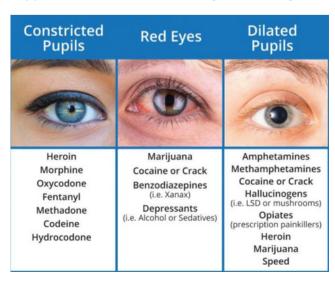
But did you know studies have also demonstrated pupils dilate on average 4% - 8% when someone is telling a lie? Of course, this is not a tool we can use in the field. First of all, I do not want any of us standing that close to a contact because it isn't safe. These types of pupil studies are conducted by computer analysis of recorded interviews.

Where we can be aware of pupil size in the field is when we witness extremes in either constriction or dilation. The normal range of pupil size is different for everyone, and we generally speak in terms such as averages. Extremes in pupil sizes are often because of drug use. Note: there are legally prescribed drugs, that when taken as prescribed, can cause dramatic changes in pupil size. Do not assume anyone is a drug addict based on their pupil size. What I am discussing here is what I learned during my training to become a Certified Drug Recognition Expert (DRE) coupled with my career in law enforcement and the interviews I conducted as a Certified Forensic Interviewer (CFI). This article will not provide you with the requisite skills to make a determination as to if someone is under the influence of a drug. Also, keep in mind there are organic reasons why someone's pupils may fall outside of the range of normal. This is often due to traumatic brain injuries.

"So, if I cannot definitively apply what you're discussing, why should I care about pupil size?"

By recognizing the size of one's pupils when contacting someone, whether it be over the counter, during a meeting, or a field contact, you'll be receiving valuable information. If the person seems very agitated, amped up, their eyes are darting and their pupils are extremely dilated, there is a strong likelihood they are under the influence of a stimulant such as methamphetamine. This is a warning sign. Pay attention. Create distance. Do not agitate them further. Have an exit strategy and get out. People who abuse stimulants are often unpredictable and violent. They are living in a relatively constant state of fight or flight and it can induce paranoia and even psychosis.

On the other hand, people with very constricted pupils (1-2mm) while others around in similar lighting conditions are averaging 4-5mm, may be under the influence of an opiate. Opiates are drugs that are most commonly used for pain management. They include opium alkaloids (morphine, heroin, & codeine), semisynthetic (oxycodone), or synthetic (methadone, fentanyl). Yes...fentanyl. Individuals under the influence of narcotics often have weak muscle tone (appear relaxed), droopy eyelids, slower speech, and raspy voices. They tend to be calmer and more compliant. However, one should still exercise extreme caution. They may have hypodermic needles or dangerous drugs on their person.



Again, there are some we will encounter who are taking legally prescribed opiates and stimulants, and there are some that will have pupil sizes that fall out of the normal range for other reasons such as brain injuries. Do not fall into the trap of being judge and jury. The point of this article is to learn to look for all of the pieces of the puzzle while we conduct our investigations.

For example, you are a newly assigned code enforcement officer, and you receive a complaint of a neighbor accumulating junk on their property. The complainant stated the property has worsened ever since the owner died and their adult son moved into the home. He is often heard unloading junk at 2 a.m. and he has friends come and go at all hours. You conduct an inspection from the public right of way (PROW) and see this.

You mail a Notice of Violation, and nothing happens. You mail a citation and days later, you're summoned to the counter. You approach, seeing a man clenching your citation in his fist and his eyes look like this (below). Ding, ding, ding...another clue. Use extreme caution. These types of individuals are often verbally and physically combative and have the uncanny ability to talk themselves into a pair of handcuffs while steadfastly attempting to avoid it.

In summary, eyes are an incredibly valuable tool in understanding the individuals we encounter, and we should consider their eyes in how we respond. Are their eyes darting around, wide-eyed, connoting anger, or possibly under the influence? Yes, we should adapt our approach and response to each person we encounter, and constantly adjust it based upon their responses. When I was a police officer we often employed calculated roles of "good cop – bad cop." When needing someone to comply, one partner would take a very firm, unyielding approach and then the other partner would swoop in with a more understanding approach, playing the mediator, often gaining the subject's compliance. In Code Enforcement, we often work by ourselves, but this tool is still available. I call it "modulation." I deliberately modulate my temperament, to gain compliance, by observing the subject's emotional state in response to my efforts. Watching one's eyes is a valuable tool in providing clues for our safety and understanding their emotional state.

In the first article, we learned to always watch the hands. In this article, we learned to watch the eyes. In part three we will explore another equally important aspect of our safety. Now go and practice your observation skills of the hands and eyes.

### About the Author

Christopher Mandala is a Senior Code Enforcement Officer in California and a retired LAPD Sergeant. He has over 30 years of experience in Law Enforcement and Code Enforcement. Chris is a CEOSF Officer Safety Certified Instructor (COSCI) and Code Official Safety Specialist (COSS). He is a Certified Code Enforcement Officer.

# Mental Models: Acknowledging the Potential for Danger by Scott Kirshner, M.Ed., COSCI, INCI

"The wise man is one who, knows, what he does not know."

~ Lao Tzu, Tao Te Ching

### **Mental Models: A Brief Introduction**

According to Craik (1943) people construct and carry internal, symbolic representations of external reality in their minds. Mental models are defined in a multitude of ways and there is not one universal definition. Mental models can be thought of as an internal mental representation of an external reality that guides thinking, planning, and decision-making. Mental models are important for the understanding of the construction of knowledge and the actions of an individual (Kim, 2004; Senge, 1990). Focusing specifically on code official safety:

Mental models provide a cognitive construct to navigate the environment for dangerous situations or threats which influence how information is perceived and processed that leads to a decision in order to implement an appropriate response.

Mental models impact perception, sense-making, decisions-making, and response options. The dominant notion in psychology about the concept of a mental model is that "judgment, reasoning, and problem solving is based on the manipulation of complex mental representations that intervene between stimuli and behavioral responses" (Doyle and Ford, 1998, p. 9). While the concept of mental models can be definitionally ambiguous there is a general consensus that it is internally held and has the capacity to affect how an individual acts. The idea that a mental model "has the ability to impact how an individual acts" is extremely important to the application of code official safety practices especially when confronted by conflict or violence.

A code official may find herself in a situation that requires the ability to identify pre-event cues, accurately make sense during a dynamic event, assess potential response options, and make critical decisions under significant time constraints while under extreme stress. The code official needs the ability to use her senses, primarily visual and auditory, to gather and interpret situational cues, make sense of the meaning, and predict what is most likely to happen next in order to determine the most effective course of action. This is often referred to as situational awareness which is defined by Endsley (1995, p. 36), as being the "perception of the elements in the environment within a volume of time and space, the comprehension of their meaning, and the projection of their status in the near future."

### Situational Awareness is Not a Panacea

It is important to note that situational awareness is the precursor to a decision. While a review of decision-making strategies is beyond the scope of this article, I want to stress that the ability for a code official to make high-quality, faster decisions can afford the ability to be safer sooner. This is important because there is an overemphasis on the importance of situational awareness which is a starting point; not the destination.

While situational awareness is an important skill to learn, develop, and practice, it is not enough. Too often there is an implication that situational awareness training is all that is needed to avoid encounters and that victimization is directly correlated to a lack of situational awareness. Yet, there are many violent encounters where the victim was situationally aware and identified a threat but lacked critical thinking skills leading to a decision that would increase their safety. Situational awareness is one aspect of safety training; it is NOT a complete safety program. There is no value identifying a threat but then failing to take action to increase your safety especially when violence is imminent. This doesn't diminish the importance of situational awareness but adds clarity to its role. Critical thinking skills that leads to a decision trumps situational awareness.

### **Every Day; Every Inspection**

Years ago I began incorporating the phrase "Every Day; Every Inspection" in training courses as a simple yet effective way for code officials to increase their safety. I urge code officials to write the phrase on a 3"x5" index card and place it in their work vehicle so that every time they enter their vehicle there is a visual reminder to think about safety with every contact. The idea behind this phrase is to strengthen mindset, create a safety mental model, and reinforce the ongoing necessity of training. Using the phrase, "Every Day; Every Inspection" has the following benefits:

- ★ It acknowledges the "potential" for danger without being paranoid, fearful, or hypervigilant.
- \* It develops and strengthens officer safety fundamentals because the code official mentally acknowledges a "safety reset" with every inspection, contact, or interaction with others.
- \* Safety becomes a priority for the code official rather than an afterthought.
- \* Safety becomes habitual.
- \* Self-awareness and situational awareness are improved increasing the likelihood that incidents can be avoided, identified sooner, or de-escalated sooner.
- \* Increased confidence for the code official because there is ownership in being proactive.
- \* The code official may identify deficient officer safety skills and seek out training.

Using the phrase, "Every Day; Every Inspection" does not interfere with the code officials obligation to provide exceptional customer service that is professional, polite, and respectful.

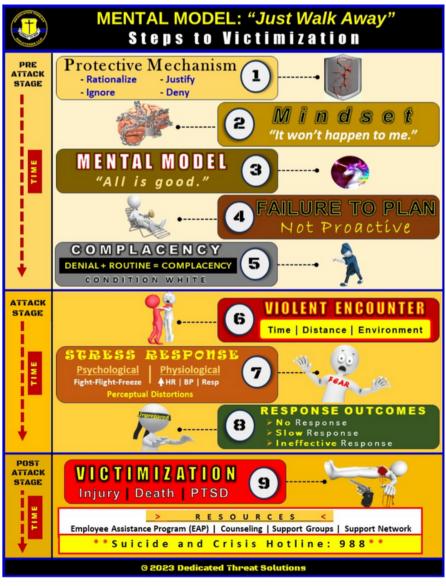
### Mental Model: "Just Walk Away"

Having a mental model does not mean that it is accurate, helpful, or beneficial. Previously, I wrote an article titled, "Just Walk Away" – Why Leaving is Not a Safety Strategy where I outline six reasons why a code official may not be able to walk away from a violent encounter. Yet, there are those who continue to espouse, "walking away is always an option" in reference to all conflict. Such a claim is false. We definitively know that walking away is not always an option as evidenced by code officials who were murdered or assaulted, especially those who were ambushed. By definition one cannot "just walk away" from an ambush attack. There are multiple reasons why "just walk away" is being pushed to include:

- 1. Lack of expertise on fundamental officer safety principles.
- 2. Misinformed about the realities of conflict and violent encounters which may be an example of *unconscious incompetence[1]* in that "they don't know what they don't know."
- 3. The *Dunning–Kruger effect*[2] which is a cognitive bias where people with low ability, expertise, or experience regarding an area of knowledge wrongly overestimate their ability or knowledge.
- 4. Advocating an agenda despite irrefutable facts that the ability to "just walk away" is not always possible which can result in harm to a code official.
- 5. A faulty mental model.

### Anatomy of a "Just Walk Away" Mental Model

Let's examine the "just walk away" mental model and outline the path to victimization. Dissecting this mental model provides insight into the reasoning, flaws, and consequences of the model. The components are subdivided into stages of pre-attack, attack, and post-attack. Note that the factor of "time" is an ever present and very important variable. This process clearly shows why this mental model is problematic and can lead to victimization. Note, there are a variety of ways to interpret the model based on different factors and variables but the outcome of victimization remains the end result.



### **PRE-ATTACK STAGE**

### **Protective Mechanism**

The foundation of "just walk away" is grounded in the belief that it provides absolute safety and therefore becomes an unquestionable **protective mechanism**. This premise is often based on false assumptions or bias hidden behind a fragile shield of perceived safety. This affords the person the ability to rationalize and justify their stance. According to the American Psychological Association **rationalization** is "an ego defense in which apparently logical reasons are given to justify unacceptable behavior that is motivated by unconscious instinctual impulses" and **justification** is "making an excuse for an action, cognition, or affect that one knows to be or is considered to be wrong or indefensible." When provided evidence that contradicts the individual's beliefs, the new information will be dismissed as not relevant or somehow flawed.

### **Mindset**

Once the protective mechanism of "just walk away" becomes rooted, the "it won't happen to me" **mindset** becomes solidified. The more this becomes reinforced, especially over a period of time, the result is a fixed mindset that is rigid, inflexible, and unable to adapt to new information or events that contradict the belief system. When an incident such as a violent encounter occurs, the ingrained response is always "just walk away" regardless of all other variables.

### **Mental Model**

Now that mindset is solidified into a rigid and inflexible belief system, the **mental model** of "just walk away" is firmly established which orients the roadmap to violence resolution. The result is a cascade of inaction that is counterproductive to officer safety. The mental model is reduced to a simplistic solution that is ill conceived and based on faulty assumptions. One may believe "all is good" but one violent encounter will definitively prove otherwise.

### **Failure to Plan**

When a mental model provides one solution to every possible encounter, the result is a **failure to plan** because the response is pre-determined. There is no need to be proactive with officer safety when there is one universal response to violence. The truth about a "just walk away" mental model is that it grossly fails to account for the realities of violent encounters. In the landmark U.S. Supreme Court decision, <u>GRAHAM v. CONNOR, 490 U.S. 386 (1989)</u> it states:

"The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation."

While the vast majority of code officials are not sworn peace officers the reality is that violence does not care if you are a peace officer or not. As pointed out in GRAHAM v. CONNOR, use of force encounters are **tense**, **uncertain**, **and rapidly evolving**. Now ask yourself:

Will your ability to "just walk away" apply to every potential act of violence a code official may encounter regardless of job title, department name, or jurisdiction?

In California, where five code officials have been murdered, legislation SB296 Code enforcement officers: safety standards under Section 1 states:

"The Legislature finds and declares that code enforcement officers are disproportionately at risk for threat, assault, injury, and even homicide due to the nature of their obligations."

### Complacency

The culmination of the pre-attack stage is rooted in **complacency**. A predetermined course of action that mandates "just walk away" eliminates the need to train officer safety skills. There is denial to accept other response options, routine is the norm, and complacency becomes doctrine. Situational awareness is an irrelevant concept as Condition White becomes unconsciously acceptable because the response remains the same regardless of the encounter.

The **Pre-Attack Stage** provides a layer of comfort because a façade of safety is created. The mental model advocates a single response to all encounters. Realistically, the veil of safety will quickly be shattered during an attack that tests the ability to "just walk away" during violence that is dynamic, tense, uncertain, time constrained, exceeds your training, and is beyond the capabilities of your sympathetic nervous system stress response. Additionally, it is important to acknowledge that the threat has a say in how the violent encounter starts, develops, and stops. Too often this uncomfortable truth is completely ignored. Safety is an illusion that holds up until pressure tested.

### ATTACK STAGE

### **Violent Encounter**

In the pre-attack stage the mental model of "just walk away" is theoretical. A **violent encounter** will quickly and unforgivingly validate the effectiveness of the model. All violent encounters are impacted by Time-Distance-Environment but the code official will fail to maximize each of these variables because they are singularly focused on leaving. Pre-event complacency means the code official didn't use situational awareness to identify escape routes or plan an exit strategy. Under extreme stress "just walk away" becomes complicated. Stress changes everything.

### **Stress Response**

Violence will initiate a **stress response**. Psychologically there is fight, flight, or freeze. If the mental model is not in alignment with the realities of a violent encounter there is a higher probability of freezing during an attack. Physiologically there will be an increase in heart rate and blood pressure while respirations become fast and shallow. Perceptual distortions such as tunnel vision, auditory exclusion, time slowing down or speeding up, disassociation, etc. can result under stressful conditions. The ability to manage stress significantly impacts response.

### **Response Outcomes**

A flawed mental model contributes to an ineffective response outcome. When attacked, lack of preparation, little or no training, and a faulty mindset may result in an outcome of:

- no response
- slow response
- ineffective response

Each of these response outcomes benefits the attacker; not the code official. The ability to identify a threat, make sense of what is occurring, rapidly decide on a course of action, and decisively implement the plan that is legal, moral, and ethical is of critical importance.

The **Attack Stage** can be unforgiving, life-altering, and lethal. A "just walk away" mental model that instantaneously fails at the first sign of pressure will collapse the paradigm of safety that was built on an unstable platform of faulty assumptions. In the moment of an attack there will be no greater truth than the lessons violence provides. Violence has no bias.

### **POST-ATTACK STAGE**

### **Victimization**

The outcome of a faulty mental model is victimization which may include physical injury, psychological trauma, and death. Physical injury can range from minor to permanent disability. Psychological outcomes may include post-traumatic stress, depression, anxiety, and a variety of other mental health diagnoses. Victims may start abusing alcohol, prescription medication, or illegal substances to cope with the trauma. Some victims become so overwhelmed that they contemplate suicide. Use resources such as your employer's Employee Assistance Program, counseling, community resources, support groups, and the support of family and friends.

If you are in crisis call or text the **Suicide & Crisis Lifeline at 988** for free and confidential support, 24/7 within the United States.

### Mental Model: A Framework for a Course of Action

Effective mental models can improve thinking, judgement, reasoning, problem-solving, and decision-making. The ability to construct, revise, and apply mental representations to safety situations can improve your ability to navigate the environment, make sense of information, and respond sooner. A mental model provides a framework that drives actions for a desired outcome in an encounter that can be novel, highly stressful, time-compressed, and has a consequence for an ineffective response. When it comes to violence there is never a guarantee of a positive outcome although you can take steps to improve your chances of success. Not having a mental model means there is no roadmap to follow, no planning, and no contingency plan. The result will be ambiguity and uncertainty during a violent encounter rather than decisiveness and a plan to implement a course of action.

### "Just Walk Away" is Dangerous and Negligent

Telling code officials that "walking away is always an option" is dangerous, negligent, and irresponsible. It is dangerous because code officials may follow such advice in situations that places the officer in jeopardy resulting serious injury or death. It is negligent because there is evidence that irrefutably proves walking aways is NOT always an option. An ambush attack definitively proves that walking away is not always an option. Continually espousing that "walking away is always an option" is irresponsible advice and tantamount to victim blaming to all the code officials who have been injured and killed in the line of duty especially those who were ambushed.

It is not possible to predetermine a universal response that a code official can equally apply to all situations, encounters, or acts of violence. When the answer to every problem is "just walk away" the result is that observation skills, critical thinking skills, and decision-making skills will not be used properly, if used at all. The ability to avoid or de-escalate will not be effective because proper situational awareness is not being used. Next I will examine the "just walk away" mental model from the perspective of file folders, Stimulus-Response, Baseline + Anomaly = Decision, and the OODA Loop which further highlights the failings and dangerousness of such a model.

### A Deeper Exploration Into A Faulty Mental Model

Next I will highlight specific failings of a "just walk away" mental model. In this section I reference material from Greg Williams who was the architect of the world-renowned US Marine Corps' highly successful and lifesaving Combat Hunter program. If you ever attend training that references left of bang, Baseline + Anomaly = Decision, or file folders the material comes directly from Greg.

### **File Folder or File Folders**

A file folder can be thought of as a mental folder of knowledge developed through an individual's life experiences and lead to pattern recognition. A file folder allows you to use knowledge from previous experiences and apply relevant components to a present situation. When the claim is made that "walking away is always an option" this means that one response universally applies to all encounters. This is an overly simplistic response to the complexities of violent encounters. Relying on one file folder to solve all acts of violence is not possible.

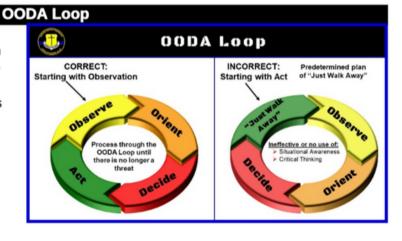


### Stimulus - Response

When preloaded with a mental model that provides one response option of "just walk away" the result will be an attempt to implement a response that is not appropriate for the stimulus. Applying the same response to every stimulus (act of violence) will result in victimization because every encounter is different. There will also be ineffective or no use of Time-Distance-Environment, situational awareness, and critical thinking. A predetermined response cannot universally apply to every encounter.

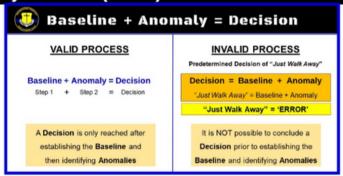


The OODA Loop, developed Col. John Boyd, stands for: Observe>Orient>Decide>Act. When "just walk away" is the predetermined response the OODA Loop is starting at Act rather than Observe meaning that relevant information has not been obtained. The predetermined decision to Act is carried out without gathering relevant information that is analyzed to determine an appropriate response for the situation. The result can be injury or death to the code official.



### **Baseline + Anomaly = Decision (B+A=D)**

The *Baseline* is the normal state of an environment. An *Anomaly* is a change in the environment which is a deviation from the Baseline. A *Decision* is reached based on analysis of the Anomaly compared to the Baseline. The B+A=D process must be completed in that specific order. Using a "just walk away" mental model the formula becomes Decision = Baseline + Anomaly. Starting with Decision is dangerous as the Baseline and Anomaly are meaningless because the response is predetermined.



### Conclusion

A mental model for a code official is a mental representation that provides a framework for concepts pertaining to safety incidents which may be complex, dynamic, highly stressful, and occur in a time compressed environment in order to make better decisions sooner that increases safety. A mental model has the ability to be helpful or harmful depending on the quality of the model. When it comes to violence there is never a guarantee on the outcome. A mental model based on faulty assumptions that advocates a predetermined response provides a framework for disaster. The consequence of a faulty mental model can be deadly! Challenge your paradigm and examine any bias that may lead to the creation of a faulty and ineffective mental model. Because if you don't, a violent attacker will and the consequences are severe to the code official.

# "We don't rise to the level of our expectations; we fall to the level of our training." ~ Archilochus

Stating that "walking away is always an option" implies that one can safely leave all conflict or violent encounters regardless of the attackers intentions. This is false. When attacked and walking away is not possible, the code official will quickly realize the fragility of the mental model. In this case the code official is more likely to freeze or experience a delayed or ineffective response due to a lack of mindset, training, and preparation. When the mental model claims you can "always walk away" there is no need for training. Such flawed thinking is full of faulty assumptions to include the belief that the code official has complete control of the encounter, attacker, and outcome. The end result is victimization. When building your mental model a good place to start is a) acknowledge the potential for violence despite all efforts to avoid or de-escalate and b) that walking away is NOT an option! This sets the stage to build a mental model on a solid foundation.

Remember: "Every Day; Every Inspection."

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### **About the Author**

Scott Kirshner, M.Ed., COSCI, INCI, 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: <a href="mailto:info@dedicatedthreatsolutions.com">info@dedicatedthreatsolutions.com</a>

# **Identifying and Managing Risk**

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

The purpose of an inspection is to determine present conditions of a particular location or environment, right? An inspection moves the needle from unknown conditions to known. At the same time, risk management requires that we attempt to reduce, minimize, or eliminate hazards. The million-dollar question is this: How do we manage risks associated with unknown hazards? The simple answer is situational awareness, but of course there's a little bit more to it than that...

### **Managing Risk**

Recognized methods of managing risk include avoidance, reduction, sharing, and acceptance. Each of these methods are valid, but practically speaking require thoughtful selection.

- Avoidance calls for the elimination of the conditions associated with the risk. This is the "just stay at home" solution, which applies to some, but certainly not all situations. During the COVID pandemic, avoidance was widely implemented by working from home. It's impossible however, to avoid all risks. Sometimes avoiding one risk causes exposure to other risks... continuing with the COVID premise, the risks associated with the couch, TV, potato chips, and social isolation. On the serious side, weather concerns may sometimes trump the benefits of getting an inspection done.
- Reduction/mitigation requires the acknowledgment of a specific risk, and specific action to minimize the probability of injury or loss. During the pandemic, mitigation measures included remote inspections, N95 respirators, and plenty of hand sanitizer. Some threats can be reduced by taking simple but intentional actions.
- Sharing refers to the transfer the risk...think of this as a task handled by referral (or joint effort) to a more appropriate (better equipped?) staff member or agency, or simply adding a helper. If you're not certified to wear a respirator or supplied air pack, or to enter a confined space, a task requiring such PPE should be shared with appropriate staff with appropriate resources.
- Acceptance acknowledges a specific or general risk, but takes no action to avoid, reduce, or share it. Acceptance may be further considered as either active (consciously accepting without action) or passive (accepting without considering action). Accepting a risk may set you up for one of those, "in hindsight" moments. As risk management guru Gordon Graham preaches, "Predictable is preventable!"
- Escalation, or increasing risk is an additional, and perhaps least desirable option. Escalation is characterized consciously making a decision that is likely to make things worse. Words are the frequent culprit in escalating a situation. Lack of planning comes in a close second, as time wasn't taken to identify factors that could have been avoided, shared or mitigated.

### **Assessing or Analyzing Risk**

Several steps are recognized elements of effectively assessing or analyzing risk. These steps should be thought of as a continuous loop, which may be initiated at any of the three steps and repeated as necessary.

- Risk Assessment is the process of identifying hazards and goes hand in hand with situational awareness. Effectively identifying hazards requires a familiarity with different types of risk, and the objects, conditions, and behaviors associated with them.
- Risk Communication involves the exchange of information relating to risk among individuals or work groups...stakeholders, if you will, who may be affected or part of the solution. (In our shop, we discuss problem clients in team meetings, and also issue "safety bulletins" highlighting particular persons, events, and locations that require awareness, and share them with other agency counter staff, building security, and law enforcement.)
- Risk Management addresses risks through policies, practices, and decision-making implementing one or more of the approaches previously mentioned; avoidance, reduction, sharing, and acceptance.

Let's look at a few specific things that we can do as code officials to identify, assess, communicate, and manage risks associated with our work.

- Become familiar with local resources and maintain current contact information.
  - Extended regional, state, and national resources may provide redundancy or greater availability.
  - Keep dispatch, back office, and cell numbers handy.
- When working with multiple resources create a simple operational plan.
  - Identify the problem including why are we involved, and what is our goal?
  - Identify participants and stakeholders (+ contact info and availability).
  - Identify the operational mission what are we intending to do/accomplish?
  - Identify logistical needs to support the operation.
  - Identify the job site location, boundaries, characteristics, responsible party, etc.
    - If rural, discreet, or unnumbered, determine GPS coordinates, cross-streets, landmarks, or other identifying information.
  - Brief the team, share the plan!
    - When do we start? / Is there a "hard stop" ending time?
    - Who will be on site?
    - Who is our primary off-site contact? (Dispatch/office/supervisor)
    - Where will we meet (how will we get there? Vehicle assignments?)
    - Who will we be meeting on site? (Cooperative?)
    - What do we intend to accomplish on site?
    - What are the team roles/assignments?
      - Primary contact
      - Scribe/photographer
      - Observer/safety officer
      - Zone assignments (if applicable)

- What are our contingency plans for medical or safety issues?
  - Communication with on-site and off-site partners?
  - Evacuation/retreat?
  - · On-site first aid?
  - Back-up assistance?
  - Off-site rally point?

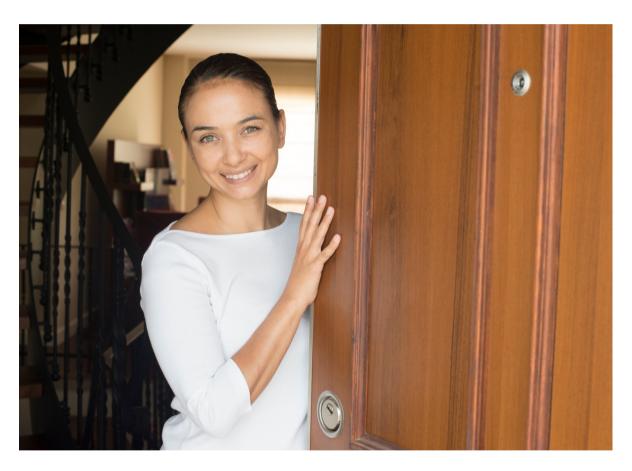
Upon arrival at an inspection site, make a mental note of any changes between prior observations and current conditions. Depending upon the location, a drive-by assessment may be advised. Are there any vehicles present (familiar, or unknown)? Is the location accessible, or does it appear to be gated or locked? Are there dogs in the yard, or people waiting or loitering outside? Video cameras, posted signs (No Trespassing or anti-government), or other cues? Decide if you're comfortable making contact, or may need additional resources, such as law enforcement or animal services. It's easier to plan for problems than to respond to problems!

Once you've made contact at the location, try to stick with your plan. It's easy to "inspect by wandering," but it's an inefficient method and can lead to being led, rather than completing a thorough and logical site visit. Most importantly, following a logical inspection sequence allows all necessary observations to be made with minimum "time on target." Reducing inspection time reduces exposure to risk. While on site, consider recording voice notes, either on a smart phone or a dedicated recording device. This practice allows you to capture inspection findings with minimal "head down" time, improving situational awareness. As a bonus, voice-to-text applications can further simplify the notetaking process. If you have the luxury of a second inspector being onsite with you, discuss and practice the concept of contact and cover. One inspector should serve as the primary point of contact for the inspection, while the second inspector should serve as "cover," maintaining situational awareness, and communicating any perceived hazards with the primary inspector.

If any hazards or threats are identified during the inspection, they should be reacted to appropriately. Some threats require immediate action, such as exiting the location, or other defensive measures. Other threats may be mitigated by simply redirecting the inspection away from a potential threat, rather than drawing attention to it. This may be the case when entering areas where items are encountered that could easily be utilized as a weapon. Avoid asking the responsible party to remove or relocate such items, as drawing attention to them may escalate tensions, increasing risk.

Ask the responsible person to lead the way during the inspection but direct them to areas or paths that need to be covered. Following the other party places you at a physical advantage and allows you to remain aware of movements that might "telegraph" or predict threatening behavior. Being led also allows the responsible party to retain a sense of control over their environment. Asking rather than telling helps to minimize conflict. As most inspections occur based upon consent, this approach may aid in keeping consent in place through a completed inspection. In cases of inspection by warrant, asking rather than telling conveys respect and again conveys a sense of control, even within an uncomfortable situation.

Conclusion of the inspection should include a cordial "thanks" for accommodating the inspection, a commitment to timely follow-up (ideally with an end date, to manage expectations), and clear instructions on follow-up actions to be taken by either party. Risk management can be seen as "paying it forward." Respectful, solutions-oriented contacts set the tone for future interactions. Always keep in mind that one successful inspection is just that...ONE successful inspection. A myriad of circumstances can change the tone of subsequent inspections, and a cooperative subject one day may be an extreme threat on another. Enforcement related animosity and frustration tend to be cumulative, and the inspection may only be one pain point of many being experienced by the person you're interacting with. Whenever you have the opportunity, emphasize the benefits of the codes, and make yourself a partner in improving at least one aspect of the customer's life. Complying with the codes is an affirmative risk management step for the property owner. Manage your own risks with planning, situational awareness, and purposeful action.



### **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.

# **Decision Fatigue and Closing Rituals**

by Jeanette Loven, CCEO, CTO

I am sure I have had heard the words decision fatigue and closing rituals before, however recently after attending a Peer Support Specialist Training course this hit me like a cement bag. Decision Fatigue! I have that! But closing rituals?

Allow me to be a vulnerable with you, my peers. I get up at 0300 and leave my house by about 0450. I wear 23  $\frac{1}{2}$  lbs. of gear on my shoulders, and hips. My drive takes me in the summertime of about 1  $\frac{1}{2}$  hrs. (wintertime it doubles each way). During my, I drive over two dark, deer and elk infested mountains.



Each way I have a minimum of two near misses with other drivers who are recklessly driving without any law enforcement on duty for another two hours. Everyone knows this, and so the "construction derby" was coined. Once I arrive in my jurisdiction I begin patrolling before even picking up my patrol vehicle. I have had close calls with bears strolling up to me or people who aren't happy to see me at that time of the day. All before 0700. Throughout the day I encounter a lot of the same things you all do. I have been hammered all day long with parties yelling at me about citations they have received, trying to implement new policies. Find, purchase, and negotiate contracts for new equipment. Train new and old team members on the equipment. Navigating the dogs, bears, politicians (elected and self-appointed), officer safety, the list you all know. By the time I leave for home on the "construction derby", again without any marked law enforcement presents it is now 1700. I arrive back at home around 1900, only if I haven't had to drive around in circles because of being followed home. Walking in the door I find the sweetest, rambunctious chihuahua/pug who is standing at the gate waiting for me to run around the backyard in 23 ½ lbs. of gear. During my shift I've not had time for personal phone calls or text messages and now everyone wants my attention. All I want is to climb into bed, sometimes still not having eaten anything during the day. I am not even exhausted. I am simply wondering how I got home. I feel I am neglecting my family because I can't give to one person or one more thing. Now I have one more weight added to my shoulders. I am fortunate that my husband was in law enforcement and gets the decision fatigue idea, however he still needs to tell me about his day.

During my Peer Support Specialist course, this statement was made; "the brain needs rituals. If you work 12 hr. shifts with chaos and decision making you don't have a safe place to close the door. Your home must be a place you don't feel you have to be vigilant. Therefore, the necessity of closing rituals."



I asked myself "what are my closing rituals?" I am a work in progress in my self-care and am not sure what my closing rituals are daily. I wake up during the night when I do sleep thinking about work. However, I'm hoping with me being vulnerable and telling part of my story I can hear from others who have mastered closing rituals and I can learn from you. If you don't have a closing ritual and have decision fatigue, let's talk. Burn out is real in our professions as well as our personal lives. I realize if I don't find a closing ritual, I could end up having closings in both my professional and personal life.

### **About the Author**

Jeanette Loven is a Lead Code Enforcement/Animal Control Officer and Field Training Officer in Colorado. She has experience as an Emergency Dispatcher for Police, Fire, Sheriff, and U.S. Forest Service. Jeanette is a Certified Training Officer and has been a CPR/First Aid instructor for over 22 years. She currently serves as Regional Representative for Region 11 for CEOSF.

# CEOSF Officer Safety Certified Instructors (COSCI)

The Foundation created the COSCI program to vet instructor credentials and ensure that a COSCI has the background, experience, and credentials to teach on subjects related to officer safety. They do not need to be about code enforcement, but any subject that is officer safety. Our Certification Committee reviews all applications, interviews the candidate, and makes a recommendation to the Board.



### **Timothy Sun, COSCI, COSS**

Tim is the Vice President of CEOSF and a Code Enforcement Manager in California with 20 years of Code Enforcement and law enforcement experience. He has taught at the CACEO academies on officer safety and been a Chair. Tim teaches several classes in-person ranging from basic officer safety, to self defense, to firearms, and more.



### Kirk Palmer, COSCI, COSS

Kirk is a CEOSF Board Member and a Code Enforcement Supervisor in Georgia with nearly 30 years of experience as a Peace Officer and in Code Enforcement. He has taught numerous classes in Georgia on officer safety, gangs, sovereign citizens, and first amendment auditors.



### Scott Kirshner, COSCI, M.Ed., INCI

Scott is our Lead Instructor and developed the COSS training cirriculum. He has over 30 years of experience teaching about violence, officer safety, and situational awareness. He travels the country teaching different classes for agencies large and small. Scott is President of Dedicated Threat Solutions, LLC.



### **Darrell Revier, COSCI, COSS**

Darrell has over 20 years of experience in Code Enforcement and Animal Control. He is a Code Enforcement Officer in California and previously served as CACEO President for two terms. He has also been the Chair of the Officer Safety Committee. Darrell teaches at the CACEO academy and covers basic officer safety, animal safety, and biohazards.



### Dean Phaneuf, COSCI, COSS

Dean 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.



### **Christopher Mandala, COSCI, COSS**

Chris has 30 years experience in law enforcement and Code Enforcement in California. He was a Sergeant with LAPD and currently serves as a Code Enforcement Coordinator. Chris specializes in warrants, high risk inspections, and officer safety principles.



### Cody Tweedy, COSCI

Cody is a dedicated public servant with over 15 years of public safety experience. He has worked as a firefighter for multiple agencies holding the ranks of Firefighter, Lieutenant, Captain, and Battalion Chief. He also became an EMS Supervisor in Colorado. Cody is currently a Police Officer assigned to Traffic.



### **Justin Gardiner, COSCI, COSS**

Justin is a Senior Code Enforcement Officer in California and previously served as a Police Corporal and Field Training Officer. He serves on the CACEO Board of Directors and as Chair of the Officer Safety Committee. Justin specializes in first aid, stop the bleed, and active shooter training.

# **COSS Training Options**

The international Code Official Safety Specialist (COSS) training program started in June 2021. This was a training partnership with Dedicated Threat Solutions, LLC to develop the curriculum for this highly acclaimed training. CEOSF is an ICC Preferred Education Provider so the 15-hour class does receive CEU's. The goal of this training was to provide a basic foundation for YOUR safety as you work in government. This program is divided into 5 subjects and covers what to think about, what to be aware of, and tips to focus on your safety. Participants can also download 5 PDF workbooks that enhance the training. In November of 2022, the Code Council officially launched the Credential of Learning Achievement (CLA) on this training. Students must pass the training in order to take the ICC exam and receive the credential. The CLA costs \$65 and includes a 1-hour exam.

Currently the entire 15-hour course is discounted by 66% at \$250 per person. As a non-profit, CEOSF wanted to offer this important training at the lowest cost while still covering overhead.

### **ON-DEMAND / VIRTUAL**

The COSS training was designed to be accessible to everyone across the globe with this on-demand option. Students enroll at any time online and work through the course within 60 days. You are able to pause as needed and download the PDF workbooks. This has been widely accepted due to this feature so students do not need to miss days of work to go to an off-site location. We have heard from numerous agencies nationwide that use this training for ALL new employees.

This training is great for Code Enforcement, Building Inspectors, Fire Inspectors, Health Inspectors, Vector, Animal Control, CSO's, Permit Techs, and all support roles. Even Directors have gone through this course!





### **IN-PERSON COSS TRAINING**

Reach out to us to inquire about in-person large group trainings. This option is great for groups that are 30-50 per class and we can accommodate 100+ students. This option takes 2 full days of training and CEOSF flies our Lead Instructor Scott Kirshner out to your agency to teach the class.

This option is great for the personal feel where students get to interact with the instructor throughout the 2-day training. Email us: info@codeofficersafety.org

# **ICC Credential of Learning Achievement**



Note 1: If you do not already have an ICC account, you will need to create one at this link <a href="https://www.iccsafe.org/register">https://www.iccsafe.org/register</a>

Note 2: After 3 years from issuance of the CLA, a minimum 3-hour training on the subject of code official safety offered by ICC or CEOSF will be required to renew the COS-CLA

The International Code Council (ICC) partnered and sponsored CEOSF in May of 2021. Since then, the two organizations have collaborated to promote safety of code officials across the globe. In November, we officially launched the Credential of Learning Achievement (CLA) through ICC. This reinforces the support ICC has for officer safety and the Foundation.

Current and future graduates of the COSS training can log into their MyICC account under credentials and take the 1-hour exam for \$65. You will need to upload your official COSS certificate prior to taking the exam. Once you pass, you will receive an ICC credential certificate and digital badge to show with pride! Upon completing the training you are permitted to use the COSS acronym on your business cards, emails, etc.

# LEARNING ACHIEVEMENT Code Official Safety

### Learn more at:

https://www.iccsafe.org/professional-development/cla/

# **BE CAREFUL**

Be safe, stay alert, and get home!

# **In Memory**

From October through December we remember and honor those who have died serving their communities.

October 14th – **WILLIS "ANDY" WINGERT III**, California (3rd anniversary - Medical)

November 13th – **RODNEY MORALES**, Colorado (15th anniversary - Murder)

November 25th – **VALERIE NIETO CISNEROS**, Texas (2nd anniversary - COVID-19)

November 27th – **MICHAEL TRIPUS**, Pennsylvania (5th anniversary - Murder)

December 24th – **DON JUENEMANN**, Minnesota (26th anniversary - Murder)





# **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.



























# **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



### **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



# **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 <a href="https://www.codeofficersafety.org/requestavest">www.codeofficersafety.org/requestavest</a>



### 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