



WALL STOPS – HOW TO PROTECT SOURCES AND METHODS FROM THE TRAFFIC STOP TO THE COURTROOM

EXECUTIVE BOARD

CHAIR
Scott Bachmann
scott.bachmann@doj.ca.gov

VICE CHAIR
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stephanie.gomez@doj.ca.gov

VICE CHAIR
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iwinger31@icloud.com

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ehorn@uspsioig.gov

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ehorn@wsin.riss.net

SECRETARY
George Negrete
gnegrete@sigov.org

TRAINING COORDINATORS
Daljit Gill
daljitgillwhite@gmail.com

Mike Roberts
robertsm@edso.org

AT-LARGE BOARD MEMBERS

Ryan Camp
racamp@uspis.gov

Olivia Carrera
livmcarrera@gmail.com

Tony Cruz
Acruzer359@gmail.com

Cindy De Silva
cindy.desilva@sjcda.org

Michael Ferrando
mcferrando@solanocounty.com

James Meek
james.meek@doj.ca.gov

Amber Nedeljkovic
acbettar@yahoo.com

Ian Osborn
iosborn@ci.manteca.ca.us

Adrian Retiz
Adrian.retiz@doj.ca.gov

Stephanie Tann
stephanie.tann@doj.ca.gov

Bill Wann
williamwann@att.net

Thursday, June 20th, 2024
0800-1700

Location: Manteca Transit Facility
220 Moffat Blvd.,
Manteca, CA 95336

Instructor: Devan Portillo has been a prosecutor for just over a decade prosecuting everything from DUIs to homicides. For the past three years Devan has been the lead prosecutor for Unit 1, the special prosecutions unit of the Placer County District Attorney's Office that handles all human trafficking, cartel level major narcotics crimes, and fentanyl induced homicides. Unit 1 is well known within the state for its pathfinding work on fentanyl homicides including securing the first fentanyl induced homicide plea in California. Devan has conducted multiple complex jury trials related to major narcotics and works in concert with both state and federal narcotics taskforces to actively identify, disrupt, and dismantle drug trafficking organizations. To that end, Devan regularly works with confidential informants and has successfully litigated hundreds of cases built upon privileged information without burning sources or means or methods. To that end, Devan is intimately familiar with both the benefits and pitfalls surrounding the "Wall" created by California Evidence Code sections 1040-1042.

Description: This course is designed to discuss best practices related to wall stops in terms of the allowable type and depth of communication with marked units, Judges, and the assigned prosecutor. Further, the course will instruct on multiple case studies where wall stops have gone wrong in the eyes of the appellate courts and how to avoid those mistakes moving forward. Lastly, the course will instruct on common defense attorney tactics designed to get behind the wall and in so doing discuss just how powerful the law enforcement privilege, defined in California Evidence Code section 1040-1042, is and how to properly utilize it to safeguard informants, means/methods, and successful prosecutions. Objectives covered include: •How to prep marked units prior and post stop. •How to utilize K9 support. •Proper communication with prosecutors and safeguarding privileged reports. •Advantages and Disadvantages of anticipatory warrants. •Determining "materiality" and whether to prosecute ancillary targets. •Cal. Penal Code section 1054.7 hearings and discovery obligations for Prosecutors. •When and how to invoke 1040-1042 privilege? •What happens after invocation?

MCLE credits (3 general, 1 Ethics)

Fee: \$40.00 for current CNOA members and \$60.00 for non-members. The class fee will be accepted during sign-in on the day of the class. Checks are to be made out to "CNOA Region II." If pre-paying for the class by check, please mail to WSIN, 1825 Bell St, Suite 205, Sacramento, CA, 95825, Attn: CNOA. If paying with cash, please have the exact amount.

Please register at www.cnoa.org/events/calendar. Payment via credit card is available through payment link sent in confirmation email after you register for the course.

Check-in begins at 0730 hours with class starting by 0800. If you have questions regarding the training, contact Erin Horn at ehorn@wsin.riss.net or George Negrete at gnegrete@sjgov.org. CNOA membership applications will be available for those wishing to join.

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