

Deputy Sheriffs' Association of San Diego County
Minutes of the meeting of the Board of Directors
held at the association headquarters

1 President David Leonhardi called the Meeting of the Board of Directors to order on September 10, 2020
2 at 2:04 p.m.

3
4 **ROLL CALL OF DIRECTORS:**

5 **Present:** Benjamin, Castillo, Gardenhire, Fifita, McCurdy, Morabe, Leonhardi, Shawcroft, Rinder

6 **Absent:**

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8 Upon motion by Castillo, Second by Fifita, and passed by unanimous vote, the September 10, 2020
9 meeting of the Board of Directors entered into closed session at 4:02 pm for confidential communications
10 to include Rachel Parrott, Jon Cadieux, Fern Steiner and Alex Heckman.

- 11
12 1) Meet and Discuss
13 2) Legal investigation
14 a. Leonhardi, McCurdy, Morabe, Parrott, Rinder, and Steiner recused from the discussion.

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16 MOTION/Fifita, SECOND/Gardenhire to come out of closed session at 5:10 p.m. Motion unanimously
17 carries

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19 1) **APPEARANCES:**

- 20 a) Fred Rowbotham Region IV LDF Trustee – 2:00 p.m.
21 i) Rowbotham is the current trustee for LDF for Region IV and is running for re-election.

22
23 2) **LEGAL UPDATE: Steiner/Cadieux**

- 24 a) Legal Update
25 i) Discussed in closed session.

26
27 3) **CONSENT CALENDAR:**

- 28 a) Minutes from August 27, 2020
29 b) Retirements
30 i) Jason Roland – 19 years as class 1 (29 years combined) - \$5,200

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32 MOTION/Benjamin, SECOND/Gardenhire to approve the consent calendar. Motion unanimously
33 carries.

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35 4) **PRESIDENT'S REPORT:** Leonhardi

- 36 a) Standby for deputies
37 i) With the current climate, deputies are consistently working overtime or being told they may
38 need to come in when not scheduled. Supervisors were using the terminology of being on
39 standby for availability. Leonhardi spoke with Commander Cinnamo who acknowledged that
40 there is no such thing as standby, but deputies with take-home cars are subject to call back.
41 A message was sent through the commands that the language of standby would not be used
42 moving forward.
43 ii) Morabe advised that they were requiring people to sign up, sending a calendar invitation and
44 asking deputies to sign up. Castillo noted this same procedure is practiced in the jails, and
45 that if you sign up on the list, you are signing up to be available. He also stated that there is
46 an overtime list and an available-for-overtime list in the jails.
47 iii) Steiner advised that they could put up lists for volunteers for overtime. Steiner advised that
48 members need to notify the DSA if they are being told they are on standby.
49 iv) Benjamin advised that she was told they were not allowed to drink alcohol while off duty
50 during the protests. Leonhardi said that is not enforceable by the department.
51 v) Morabe asked that we put something out to the membership and that most of the
52 membership will be looking for a formal response from the DSA.
53 b) Court transfer list

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- 1 i) Leonhardi discussed that when deputies were moved from courts back to the jails, the DSA
2 requested they go back to the top of the transfer list and/or advocated that they have a choice
3 of the facility they are assigned to.
- 4 ii) AS Ray gave direction to email each of those transferred and ask for their choices of facility;
5 however, the department will not be moving them to the top of the transfer list.
- 6 c) Sergeant's pay
- 7 i) Leonhardi was made aware of a rumor that there was a deputy who was promoting to
8 sergeant and would be receiving 5% above his deputy pay including premiums. Per the
9 compensation ordinance, it is 5% above base pay. Leonhardi spoke with AS Ray and
10 confirmed the department wants to incentivize deputies to take the sergeant's exam. The
11 department believes that starting deputies at 5% above their current pay, not their base pay,
12 will increase participation in the promotion process. AS Ray's desire is to do an equitable
13 salary adjustment to adjust other sergeants who have recently promoted. Currently, it is only
14 for the law enforcement bureau, but there are a few detention sergeants who are affected
15 because of premiums and the department will look at adjusting those individual detention
16 sergeants. Leonhardi advised that the department should have communicated this with the
17 DSA, as it is a contract negotiation and a part of the DSA's bargaining agreement.
- 18 ii) Fifita advised that because the department has notified those affected, they cannot take it
19 back. They should do it for everyone moving forward.
- 20 iii) Castillo stated that it should be equitable across classification, since it is a negotiated item
21 and law enforcement sergeants start at a step 4 through step 8, whereas detention sergeants
22 have steps 1 through 9. He stated there would be backlash once word got out, and issues
23 stemming from one classification getting the incentive while the other does not. Castillo
24 stated that the DSA will have more disgruntled members.
- 25 iv) Shawcroft expressed his disagreement with the idea. Shawcroft stated that it is not fair at all
26 and if LE deputies want to promote; they need to be leaders and step forward and take the
27 test. When they start putting incentives forward, people will only promote for money. The pay
28 scales are already diverse enough between LE and DET and this would increase the gap that
29 is already too large.
- 30 v) Morabe advised that she does not think it is acceptable for the DSA to accept something on
31 the LE side and there would be a disparity on the DET side. She stated that pay
32 discrepancies surrounding promotions have been an issue for two contracts and if they are
33 doing it for the one sergeant and paying one sergeant more than other sergeants, the DSA is
34 going to get grievances.
- 35 vi) Steiner advised that if they want to do a pay increase, they must bargain with the DSA.
- 36 vii) Leonhardi advised that they set up a meeting with AS Ray to discuss the department's full
37 intentions and plan. Leonhardi said that Shawcroft was not wrong but advised that it's in the
38 DSA's best interest for members to get more money, stating there will be a lot of members
39 who are going to be upset if the DSA opposes a pay increase. Leonhardi discussed the SED
40 incentive that was implemented in 2018. While there were other assignments that believed
41 they should have received an incentive and that an incentive for SED was unfair, the DSA did
42 not oppose it because we typically always advocate for more money for more members.
- 43 viii) Morabe stated that this is a Meet & Confer item and she would like to be included in the
44 meeting that Leonhardi is setting. Leonhardi said that the meeting is not a Meet & Confer or
45 Meet & Discuss and she would not be attending.
- 46 ix) Castillo stated that he understands where Leonhardi is coming from, but that the DSA still
47 would see sergeants that are making less, and it will create a ripple effect. It would pit
48 classification-versus-classification and have a ripple effect.
- 49 x) Gardenhire asked if the sergeant promotion incentive was different from the SED incentive
50 because of promotions versus premiums. He stated that if you are enticing people to
51 promote, they should want to promote for the sake of promoting.
- 52 xi) Shawcroft asked if Leonhardi is advising the board of what he has heard or if he is telling the
53 board that this is how it is going to play out. Shawcroft does not support it and stated that it is
54 the most unfair thing he has ever heard. Leonhardi advised that no decisions have been
55 finalized with the DSA.

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1 xii) Castillo stated that this may lead to detentions deputies not testing for sergeant and the DSA
2 would have to manage the issue for the detention side in the future.

3 d) Online security program

4 i) The DSA will be offering an online privacy program for members. The cost will be \$40 to
5 assist in making sure private information is not searchable on online platforms. Information
6 will be on the DSA website and shared in the monthly newsletter.

7 e) School supply drive

8 i) The DSA previously partnered with the department to give backpacks to students in Spring
9 Valley. Leonhardi advised that this year, the DSA would be partnering with the city of Vista
10 and the department to give backpacks and supplies to students in the Vista School District.

11
12 MOTION/McCurdy, SECOND/Shawcroft to approve up to \$3,200 for school supplies for students in
13 Vista School District. Motion unanimously carries.

14
15 5) **VICE PRESIDENT'S REPORT:** Morabe

16 a) Standing Rule: Textbook reimbursement program

17 i) Morabe addressed the textbook reimbursement program and the related standing rule. She
18 proposed an idea to expand the eligible degrees for book reimbursement. Currently, only
19 criminal justice degrees qualify.

20 ii) Shawcroft advised that the Sheriff is encouraging deputies to get their education and
21 Shawcroft is supportive of expanding the DSA reimbursement program.

22 iii) Fifita stated that the DSA should support any degree and open the program.

23 iv) Morabe will bring the adjusted standing rule language to the next meeting for approval.

24 b) Standby clarification

25 c) DSA website – legal defense section

26 i) Morabe advised that if a deputy is involved in a critical incident, the number every member
27 should have is the PORAC LDF number. Morabe stated that currently, the DSA office number
28 is on the DSA website for the 24/7 answering service and requested that it be changed to
29 PORAC's number.

30 ii) CAO Rachel Parrott advised that the DSA does answer 24/7 through an emergency line and
31 that the DSA attorneys had previously advised to keep the current procedure. Parrott asked
32 for LDP Chair Castillo to seek clarification from our attorney's office on how they would like it
33 conducted.

34 iii) Castillo advised that nothing has changed and that's how Pinckard's office wants to keep it
35 moving forward but that he would clarify with our attorney and report back.

36
37 6) **SECRETARY/TREASURER REPORT:** McCurdy

38 a) UBS Update

39 i) The DSA UBS account is at \$8.6 million and still up 2.19% year to date.

40
41 7) **COMMITTEE REPORT**

42 a) **FINANCE/BUDGET:** McCurdy

43 i) No report.

44 b) **PORAC:** Morabe

45 i) Region IV meeting

46 (1) Morabe attended the Region IV PORAC Meeting.

47 (2) Darryl Issa came in and requested the endorsement from the region and agreed to be
48 more available for meetings in the future.

49 (3) Morabe advised that while some of the senate bills were unsuccessful on the senate
50 floor, the Governor can open a special session at any point until November 31st, so law
51 enforcement needs to stay alert until then.

52 (4) PORAC offers a Fund a Hero fundraising platform that does not charge a percentage or
53 take funds like other fundraising platforms. This is available for members who may be in
54 need.

55 (5) The San Diego/Imperial chapter endorsed Fred Rowbotham for the LDF Trustee.

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- (6) Board direction on supporting Rowbotham.
 - (a) Directors Morabe, Gardenhire, Castillo, Benjamin, Shawcroft supported endorsing Fred Rowbotham.
 - (b) Directors McCurdy and Rinder supported endorsing Phil Jonas.
 - (c) Director Fifita abstained for lack of information.
 - (d) The DSA endorses Fred Rowbotham for Region IV LDF Trustee.

c) **POLITICAL ACTION:** Leonhardi

i) PAC Mailchimp Account

- (1) This will be discussed at the next board meeting.

ii) PAC Update

- (1) Over 12,000 people signed the DSA petition in opposition to Senate Bill 731. Neither SB 731 nor SB 776 were not brought to the senate floor for a vote which was a win for law enforcement.

- (2) The DSA is organizing both members and community members who are law enforcement supporters for the next time law enforcement is under attack in the state.

d) **NEGOTIATIONS:** Castillo

- i) No report.

e) **MEMBER EVENTS:** Rinder

i) Drive-through Halloween Trunk or Treat

- (1) The DSA will be hosting a Halloween Trunk or Treat on Friday, October 30th from 4-7 p.m. Members can RSVP online at www.dsasd.org/halloween.

MOTION/Gardenhire, SECOND/ Castillo to approve \$5,000 for the Halloween Trunk or Treat event. Motion unanimously carries.

f) **MEMBERSHIP:** Gardenhire

- i) No report.

g) **DONATIONS:** Fifita

- i) No report.

h) **BYLAWS/STANDING RULES:** Morabe

- i) No report.

i) **MEET & DISCUSS/CONFER:** Morabe

- i) Addendum F – closed session

- ii) 2.22 courtesy – closed session

j) **INSURANCE:** McCurdy

- i) No report.

k) **PEACE OFFICER MEMORIAL:** Leonhardi

- i) No report.

l) **LEGAL DEFENSE:** Castillo

- i) No report.

m) **SICKNESS AND DISTRESS:** Rinder

- i) No report.

8) **UNFINISHED BUSINESS**

a) NEP Proposal and IQ Proposal

- i) Shawcroft advised he was looking into electronic voting and NEP Services gave a presentation. Shawcroft learned that electronic voting is typically combined with another program, not a standalone program. Shawcroft is waiting to hear from the Orange County association on the programming they use.

- ii) Castillo asked if this would be the only way to vote, and Leonhardi said the board would work out logistics once a decision was made.

- iii) CAO Parrott addressed IQ, a membership data platform, that would replace our current system to house membership information and process payroll. IQ has electronic voting capabilities.

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- 1 iv) Benjamin inquired about other agencies that may use IQ and asked if we have received
2 recommendations.
3 v) Morabe stated that the board needs to work on it within the next month because the board
4 has been talking about it all year.

5
6 **9) NEW BUSINESS**

- 7 a) No report.
8

9 **10) GOOD OF THE ASSOCIATION**

- 10 a) Beverage fridge approval
11 i) The fridge in the DSA boardroom is broken and a replacement is needed.

12
13 MOTION/Fifita, SECOND/Gardenhire to approve up to \$500 for a new mini fridge. Motion
14 unanimously carries.

- 15
16 b) Member Christmas Dinner
17 i) The DSA will be feeding all deputies working on Christmas day.

18
19 MOTION/Fifita, SECOND/Morabe to approve up to \$20,000 for the Christmas dinner. Motion
20 unanimously carries.

- 21
22 c) Barbecue – Vista Patrol
23 i) Morabe advised that Vista Patrol station needs a BBQ.

24
25 MOTION/Morabe, SECOND/Fifita to approve up to \$500 for a BBQ. Motion unanimously carries.

- 26
27 ii) Morabe also advised that the board had previously approved \$500 for a morale BBQ at the
28 Vista station and that the station had not received the money. Morabe stated she would like a
29 check for \$500 made out to Nancy Blanco to make right the wrong of not providing the
30 money.
31 iii) Leonhardi and CAO Rachel Parrott advised that the DSA accounting policy and past practice
32 has been for the DSA to pay for the food directly or for the station to be reimbursed once a
33 receipt is provided. Parrott stated that this practice has been in place to help ensure DSA
34 funds are allocated and spent as intended by the station and as approved by the board.
35 iv) Morabe stated that she is trying to right a wrong after Leonhardi upset Vista command and
36 stated that the command is not happy with Leonhardi, as he opposed providing the funds to
37 begin with. Leonhardi objected to Morabe's statement and clarified that he did not oppose the
38 BBQ.
39 v) Morabe stated that she wanted a \$500 Visa card purchased with her discretionary director
40 funds to provide to Lt. Blanco. CAO Parrott stated that this is not the practice at the DSA and
41 requested board approval to move forward.
42 vi) Morabe made a motion to approve \$500 for a Visa gift card. There was not a second and
43 Board Members Fifita, Benjamin, Castillo, Gardenhire, Fifita, McCurdy, Shawcroft, and
44 Rinder all opposed providing a check or Visa card without being given a receipt.

- 45
46 d) Private investigation results
47 i) Attorney Cadieux advised that the results of the investigation showed insufficient evidence to
48 support discrimination or harassment. The board voted to keep the investigative report
49 confidential. The board will be adding an agenda item to the next meeting to discuss the
50 bylaw pertaining to the President administering DSA staff.

51
52 MOTION/Shawcroft, SECOND/Castillo to adjourn the meeting at 5:13 p.m. Motion unanimously
53 carries.

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55 **11) ADJOURNED 5:13 P.M.**