

**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 October 22, 2020 at  
2 1:01 p.m.

3  
4 **ROLL CALL OF DIRECTORS:** Rinder, Shawcroft, Gardenhire, McCurdy, Castillo, Leonhardi, Morabe,  
5 Benjamin

6 **ABSENT:** Fifita

7  
8 **Members in Attendance:** Zach Adams, Nick Backouris, Tony Bailey, Karen Block, Aaron Brown, Albert  
9 Carrillo, Chuck Cinnamo, David Gilmore, John Johnson, Jacob Klepach, Ashley Lewis, Mike Mascarenas,  
10 Aaron Montan, Elizabeth Montoya, Barron Noah, Aaron Polzin, Mike Rand, Hank Turner

11  
12 **1) APPEARANCES:**

13 a) Assistant Sheriff Ray - 1:00 p.m.

14 **2) LEGAL UPDATE:**

15 a) Steiner advised that new P&P changes were sent out to the board and that the directors should  
16 review them and send her an email with any issues or questions that arise so the DSA can get  
17 them addressed.

18 b) Director Castillo stated that most of the changes in question are just related to verbiage and  
19 aren't significant.

20 **3) CONSENT CALENDAR:**

21 a) Minutes from October 8, 2020

22 b) Phone Poll ratification

23 i) Phone poll approval for MADD 5k walk for \$1,000

24 ii) AYES: Rinder, Fifita, McCurdy, Shawcroft, Morabe, Benjamin, Castillo, Gardenhire

25 c) Phone Poll ratification

26 i) Phone poll approval for the LOU language proposal by the county approving variable entry  
27 criteria.

28 ii) Phone poll rescinded.

29 d) Retirements

30 i) Michael Pata – 20 years of class 1 membership - \$4,500

31 ii) Christopher Barber – 27 years of combined membership (19 as class 1) - \$5,000

32 iii) Michael Barnett – 28 years of membership - \$6,900

33  
34 MOTION/McCurdy, SECOND/Castillo to approve the consent calendar. Motion unanimous

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

37 a) LOU Language for Sergeant Pay

38 i) President Leonhardi discussed the reasoning behind the Department's desire to adjust the  
39 sergeant's pay scale and the role the DSA has played up to this point. The DSA advocated  
40 heavily for detentions sergeants to receive an adjustment to their pay scale and were  
41 ultimately successful in ensuring this became a reality. Leonhardi stated that the current LOU  
42 language created variable entry criteria for the entire DS classification. Leonhardi stated that,  
43 while the DSA does have concerns about the language of the LOU, the County does not want  
44 to negotiate or give the members of the DSA a raise in the middle of a contract. He stated  
45 that variable entry criteria already exist with other contracts within the county.

46 ii) Assistant Sheriff Ray stated that no one should have to take a pay cut to promote and that,  
47 on the law enforcement side, it is used as a recruiting tool to tell deputies that if they love a  
48 position, they can stay there, so mandatory rotation isn't ideal. Castillo stated there used to  
49 be over 100 deputies testing and now the department is down to below 50 with under 37  
50 deputies certifying for the list. Ray stated that the Department went to county counsel, human  
51 resources, and the chief administrative officer to get the language passed through. He also  
52 stated that the Department wants to solve the issue and move forward by giving all sergeants  
53 an incentive.

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- 1           iii) Vice President Morabe stated there is a rumor circulating that sergeants have been paid  
2           more than the language dictates, meaning deputies were promoted to sergeant and paid 5%  
3           over their specialty pay. Morabe asked whether this was true.
- 4           iv) AS Ray stated that deputies receive 5% above their base pay, with all incentives removed,  
5           and that is how every sergeant who has been promoted has been paid. If you are a detective  
6           and a corporal and receive a 10% incentive, when you promote, you will only receive 5% in  
7           response to the compensation ordinance for the county.
- 8           v) Director Shawcroft stated that, in the summary Leonhardi gave, he stated that a mandatory  
9           rotation was unpopular, but asked what the department would do about people who are in  
10          specialized positions who are regressing or holding spots for upwards of 20 years. Shawcroft  
11          suggested the Department implement an 8-10-year cap on specialized positions.
- 12          vi) AS Ray explained the Department has reviewed other agencies across the state and country;  
13          some have mandatory rotation and some do not. Ray stated that the Department's  
14          philosophy is, if a deputy is doing a good job in a position, they want them to be able to stay  
15          there, as there are enough positions and movement within the department. AS Ray stated the  
16          Department relies on supervisors, sergeants specifically, to hold those who aren't performing  
17          well accountable by way of evaluations, etc. He stated the Department does not let people sit  
18          in their jobs for 10, 15, 20 years without producing. He also stated that the conversation  
19          about mandatory rotation, but the department is currently trying to stay committed to allowing  
20          those with specialized skills to stay in specialized positions.
- 21          vii) Shawcroft stated that the only problem is the Department's current practice got them into this  
22          situation. He stated deputies like those positions and the incentives so much that they are not  
23          promoting, and this increase is a huge jump in money for a top-step deputy with the POST  
24          incentive. He expressed that money does not seem to be the answer, and that the  
25          Department could have considered different solutions. Shawcroft challenged the law  
26          enforcement classification's ability to stack premiums and suggested creating a maximum on  
27          the number of premiums.
- 28          viii) AS Ray stated that there are only two positions that can premium-stack on the detentions  
29          side, and on the law enforcement side, the DSA has done a great job premium stacking for  
30          the specialized positions. He stated that the Department does not want to rotate some of the  
31          positions, such as pilots and bomb/arson, as they are very technical and require extensive  
32          knowledge. AS Ray stated that the DSA and the County would have to negotiate at the next  
33          contract to limit premium stacking; however, the Department does not want to take away  
34          premiums and money from deputies. Ray stated that there are currently 80-85 specialized  
35          positions for detentions deputies and over 500 specialized positions for law enforcement, but  
36          that is the nature of the bureaus and classifications. He stated that the Department is trying to  
37          create a career path for the detentions side, but there is not the same scope of work as exists  
38          on the law enforcement side.
- 39          ix) Shawcroft stated that the detentions classification does not have premium stacking, but  
40          detentions deputies do not want anyone to lose money. He stated the problem exists  
41          because of the premium-stacking and there needs to be a better happy medium. He  
42          expressed that the detentions side is frustrated because the only thing that will fix the issue is  
43          money and the gap between classifications is too large.
- 44          x) AS Ray stated that the department is trying to be equitable on the detentions side and  
45          ensuring that detentions deputies promoting to sergeant are getting more than 5% upon  
46          promotion.
- 47          xi) Shawcroft stated that in order to get 5%, the Department would have to promote detentions  
48          sergeants up to step 6.
- 49          xii) AS Ray stated that the DSA would have to negotiate to have detentions deputies promote to  
50          step 6. AS Ray stated that the only way to ultimately solve the pay gap issue is to make every  
51          detentions deputy a law enforcement deputy, so the department does not have different  
52          classifications.
- 53          xiii) Shawcroft stated that the detentions deputies always feel like the lesser class, and any time  
54          the classification has come close to closing the gaps, we take steps backwards. He stated we  
55          are now widening the gap and detentions is the lesser. He expressed frustration that while

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1 they are a cost-saving group, the detentions deputies are just trying to make a living in  
2 California. He stated that if this were an issue for the detentions classification, the  
3 Department would not even be discussing increasing pay, as the detentions bureau does not  
4 have a seat at the table.

5 xiv) AS Ray stated that Leonhardi, Castillo, and DSA Labor Attorney Steiner advocated for the  
6 detentions classification. He stated that the Department raised the law enforcement sergeant  
7 pay scale by 3 steps, and they raised the detention sergeant scale by 3 steps. He stated that  
8 there are different job responsibilities for the different classes, but we all want to be able to  
9 support our families and are working towards the same thing. AS Ray stated that he wants to  
10 make it 50% and 50% in the court for detentions deputies and there are no invaluable  
11 positions.

12 xv) Shawcroft asked if the Department is open to looking at these numbers and adjusting to step  
13 5 or step 6 depending on numbers.

14 xvi) AS Ray stated that the DSA convinced the Department to go to 4 and 8 and it would be  
15 incumbent on the DSA to negotiate for more for the detentions deputies. He stated to crunch  
16 the numbers and see if it is fair and equitable.

17 xvii) Director Rinder stated some context on the raise issue and explained he has a brand-new  
18 sergeant working for him, who was a detective with a 5% incentive. Upon promotion, he  
19 received an hourly increase of nine cents an hour.

20 xviii) Shawcroft stated that detentions will always have 82 cents or 94 cents raise upon  
21 promotion, and for detentions deputies promoting to step 4, it's less than a dollar raise.

22 xix) Rinder stated that there are currently law enforcement detectives making only 30 cents less  
23 than their supervisors, and this makes it difficult to encourage promotion.

24 xx) Shawcroft stated that if it wasn't about money, the 54 people who were testing would be the  
25 leaders the law enforcement side wants.

26 xxi) AS Ray stated that the Department does have good quality people testing, but they also have  
27 people who are exceptional with varied experience, a different scope of talents because of  
28 their time on, and diverse backgrounds who are not taking the test. The Department would  
29 like to encourage those individuals to test. He stated that the Department is not bemoaning  
30 the people it currently has testing, rather the overall desire is just to get more people to test.  
31 Ray expressed that the frontline supervisors are the most important supervisors, and the  
32 Department is trying to reach the biggest scope of people we have.

33 xxii) Castillo asked how many detentions deputies who have promoted have been top-step  
34 detentions with corporal premiums.

35 xxiii) AS Ray stated that the numbers for the last two years were 12 out of 37 deputies that  
36 promoted to sergeant were top-step detentions pay.

37 xxiv) Shawcroft asked how many out of the 54 law enforcement deputies who took the test felt  
38 they had to do so because all the other specialized positions were blocked.

39 xxv) AS Ray stated that the only position the department had that was locked because  
40 someone was there for 29 years was in NTF. He stated there is plenty of movement in the  
41 specialized positions to allow for openings. He explained that the law enforcement  
42 classification does not have a backlog for specialized positions like the detentions  
43 classification does.

44 xxvi) Director Gardenhire asked what the fiscal impact for the pay scale adjustment would be  
45 for the department.

46 xxvii) AS Ray stated that it would cost the Department \$769,000 in the first year and the  
47 Department plans to pay that through funding from positions not currently being paid due to  
48 them being on the TTD list. He stated that, for the second year, it would cost about 50% of  
49 that and they are using the budget for the people who are TTD and not being paid.

50 xxviii) Leonhardi stated he would like to entertain a motion.

51 xxix) Morabe stated that a member would like to be addressed.

52 xxx) Member Nick Backouris asked if new sergeants were started at step 8, is there any  
53 concern going forward that since there is only one more step increase beyond that, it might  
54 create a short-stay sergeant program.

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1 xxxi) AS Ray stated that a brand-new sergeant would not typically be considered for promotion  
2 and the Department has not seen many deputies within 1-2 years, unless they are retiring  
3 with 30-31 years. Ray acknowledged this could be an unintended consequence.

4 xxxii) Morabe stated she had questions for DSA Labor Attorney Steiner. She asked if the DSA  
5 should be concerned over the ambiguous language and allow the department to pay deputies  
6 less.

7 xxxiii) Steiner stated that neither the Department nor the County can take a deputy from what  
8 they are making today and lower their salary. She stated that if Morabe is talking about  
9 moving the pay scale back from step 8 or step 4, they could do that, but it would only affect  
10 people who are promoting prospectively. She stated the Department could not automatically  
11 do that either; they would need negotiation and an agreement with the DSA as to what step  
12 they would come in at.

13 xxxiv) Leonhardi stated the County has confirmed that they will bargain with us for any change.

14 xxxv) Morabe asked whether the vote is for the LOU and stated that we don't have any  
15 language that says what they are going to do.

16 xxxvi) Leonhardi responded that the directors received the language and information via email  
17 earlier in the week.

18 xxxvii) Shawcroft asked if there is a reason the County cannot put the step selection in writing.

19 xxxviii) Leonhardi stated that it ultimately comes down to politics and optics, as there are several  
20 other labor unions in the county and the County does not want to be seen negotiating a  
21 salary increase mid-contract because that affects other groups. Leonhardi stated that the  
22 Department worked for this and he knows they are committed to correcting the issue.

23 xxxix) AS Ray stated that the department is committed to giving step 4 for detentions sergeants  
24 and step 8 for law enforcement sergeants. He stated that variable entry criteria allow the  
25 department to work with the DSA directly to negotiate variable entry without having to go  
26 back to the county. AS Ray stated that the department can't do anything unless the DSA  
27 agrees to variable entry criteria.

28  
29 MOTION/Rinder, SECOND/Benjamin to sign the LOU language for the variable language criteria.  
30 Motion carries.

31 AYES: Castillo, Rinder, Benjamin, Gardenhire, McCurdy, Shawcroft

32 NOES: Morabe

33  
34 b) Christmas Event

35 i) The DSA will be hosting an event to give back and support underserved communities.

36  
37 MOTION/Benjamin, SECOND/Gardenhire to approve up to \$4,000 for a Christmas event. Motion  
38 unanimously carries.

39  
40 c) Virtual Luncheon with the Sheriff

41 i) The DSA will be meeting with the Sheriff, Undersheriff, and Assistant Sheriffs virtually on  
42 Wednesday, November 4 at 1:00 p.m. via Teams.

43 d) HDSA Museum

44 i) Leonhardi updated the board on the status of the HDSA museum. In order to show an  
45 engaged interest in the purchase of the museum, Leonhardi suggested the DSA pay for both  
46 a property inspection and appraisal. Commercial inspections range from \$2,500 to \$5,000,  
47 depending on the square footage of the space.

48 ii) Morabe stated she is opposed to spending that much money on the museum when we still  
49 don't have a budget and the DSA investments are facing significant losses. Morabe stated  
50 that she can show in previous minutes where members said we should have a business plan,  
51 and that she believes this expenditure would be irresponsible.

52 iii) Leonhardi stated that a business plan is in progress, but it is a significant amount of work that  
53 should only continue if the board is seriously considering moving forward with the museum.  
54 He stated that the HDSA acknowledged the cost of the inspection and appraisal and that  
55 those items would be credited off the purchase price.

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1 iv) Director Benjamin stated that if we are looking at purchasing the museum, we need the  
2 appraisal and inspection, and she is in support of moving forward with them.

3  
4 MOTION/Benjamin, SECOND/Gardenhire to approve up to \$7,500 for an inspection and  
5 appraisal on the HDSA museum. Motion carries.

6 AYES: Benjamin, Castillo, Gardenhire, McCurdy, Shawcroft, Rinder

7 NOES: Morabe

8  
9 5) **VICE PRESIDENT'S REPORT:** Morabe

10 a) No report.

11  
12 6) **SECRETARY/TREASURER REPORT:** McCurdy

13 a) No report.

14  
15 7) **COMMITTEE REPORT**

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

17 i) 2021 Budget Approval

18 (1) The Board will review and approve the 2021 budget at the next meeting.

19 b) **PORAC:** Morabe

20 i) Leonhardi stated that he received a ballot for the PORAC conference and asked Morabe for  
21 her input.

22 ii) Morabe stated she would review and get back to him.

23 c) **POLITICAL ACTION:** Leonhardi

24 i) Kaufman legal invoice

25 (1) Approval for \$671.50 for PAC legal invoice

26  
27 MOTION/Castillo, SECOND/McCurdy to approve \$671.50 for the legal review for DSA PAC  
28 expenditures. Motion unanimously carries.

29  
30 ii) PAC/Election Update

31 (1) District 1 Board of Supervisors Race

32 (a) The San Diego Group advised they are asking for \$50,000.

33 (b) Unanimous PAC recommendation to approve the expenditure.

34  
35 MOTION/McCurdy, SECOND/Castillo to approve \$50,000 for the District 1 Board of Supervisors  
36 race. Motion unanimously carries.

37  
38 (2) District 2 Board of Supervisors Race

39 (a) The San Diego Group advised they are asking for \$50,000.

40 (b) Unanimous PAC recommendation to approve the expenditure.

41  
42 MOTION/Rinder, SECOND/Gardenhire to approve \$50,000 for the District 2 Board of Supervisors  
43 race. Motion unanimously carries.

44  
45 (3) District 3 Board of Supervisors Race

46 (a) The San Diego Group advised they are asking for \$50,000.

47 (b) Unanimous PAC recommendation to approve the expenditure.

48  
49 MOTION/Benjamin, SECOND/Rinder to approve \$10,000 to the Republican Party for member  
50 communications. Motion unanimously carries.

51  
52 (4) Darryl Lucien – DSA Sacramento Representative

53 (a) Lucien discussed critical statewide races in different cities and districts throughout  
54 California. Lucien explained the importance of the DSA's position and action in

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1 statewide politics and how the DSA's involvement is critical in combating the  
2 numerous anti-public safety measures circulating the legislature.

- 3 (b) Lucien suggested the DSA participate in the Turkey Drive hosted by Assembly  
4 member Blanca Rubio.

5  
6 MOTION/Gardenhire, SECOND/McCurdy to approve \$2,500 for the Turkey Drive by Blanca  
7 Rubio from undesignated funds. Motion unanimously carries.

- 8  
9 d) **NEGOTIATIONS:** Castillo  
10 i) No report.  
11 e) **MEMBER EVENTS:** Rinder  
12 i) No report.  
13 f) **MEMBERSHIP:** Gardenhire  
14 i) No report.  
15 g) **DONATIONS:** Fifita  
16 i) City of Vista \$50 Gift Card

17  
18 MOTION/Castillo, SECOND/Gardenhire to approve a \$50 gift card for the City of Vista Halloween  
19 contest. Motion unanimously carries.

- 20  
21 h) **BYLAWS/STANDING RULES:** Morabe  
22 i) Morabe advised of the Bylaws/Standing Rule committee meeting on October 29<sup>th</sup>.  
23 i) **MEET & DISCUSS/CONFER:** Morabe  
24 i) No report.  
25 j) **INSURANCE:** McCurdy  
26 i) No report.  
27 k) **PEACE OFFICER MEMORIAL:** Leonhardi  
28 i) No report.  
29 l) **LEGAL DEFENSE:** Castillo  
30 i) No report.  
31 m) **SICKNESS AND DISTRESS:** Rinder  
32 i) No report.

- 33  
34 8) **UNFINISHED BUSINESS**  
35 a) No report.

### 36 9) **NEW BUSINESS**

- 37 a) Leonhardi advised of an email from a sergeant at the Santee station about upgrading the station's  
38 gym. Leonhardi advised they need new flooring and other gym equipment. Leonhardi will reach  
39 out to the HDSA but may have a request for the board as well.  
40

### 41 10) **GOOD OF THE ASSOCIATION**

- 42 a) Critical Incident Call-Out  
43 i) Morabe stated that the last 3 critical incidents in detentions, the communication center did not  
44 contact Pinckard's office. She stated that there have been 3 within a month, so the DSA may  
45 need to set a meeting with the communication center.  
46 ii) Leonhardi stated that he, Castillo, and Pinckard would be meeting with AS Ray and that they  
47 could address the issue with him.  
48 b) DSA Legal Coverage  
49 i) Morabe asked if a member were to cancel their membership, are they still covered for legal  
50 defense for an incident that occurred while they were a member.  
51 ii) CAO Parrott advised that they are not eligible for benefits once their membership is  
52 terminated.  
53 c) Discount Opportunity  
54

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- 1           i) Morabe stated that a gym owner in Encinitas wants to give a discount to law enforcement.  
2           Morabe asked about how to get this information to the members.  
3           ii) CAO Parrott advised to contact Alex Heckman, DSA communications coordinator, as  
4           Heckman keeps a list of community discounts and partners.
- 5       d) DSA Store  
6           i) Morabe stated that members have been asking why there is a 20% markup in the DSA store.  
7           ii) CAO Parrott advised that the 20% markup is not on top of normal retail costs; it's the  
8           percentage profit margin from the DSA wholesale pricing. Parrott stated that to cover the cost  
9           of store staff, the 3% of sales that goes to the foundation, and other store expenses, the DSA  
10          needs a minimum of 15% profit to cover these costs. All DSA members receive 5-10% off all  
11          items in the store.
- 12       e) Pepper Gel  
13           i) Morabe asked if the Department had considered using pepper gel.  
14           ii) Leonhardi stated he had not heard of it but that the DSA could talk to the Department's use-  
15          of-force expert.

16  
17 **11) ADJOURNED 3:08 P.M.**