

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

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2 President David Leonhardi called the Meeting of the Board of Directors to order on April 08, 2021 at 2:03
3 p.m.

4
5 **ROLL CALL OF DIRECTORS:**

6 **Present:** Benjamin, Castillo, Garcia, Lewis, Morabe, Leonhardi, Rinder, Sanders

7 **Absent:** Shawcroft

8
9 **MEMBERS IN ATTENDANCE:**

10 Scott Johnson

11 Heather Garcia

12 Marshall Abbott

13 Brian Bloomberg

14 Anthony O'Boyle

15 Marlon McCurdy

16
17 Upon motion by Castillo, Second by Rinder, and passed by unanimous vote, the April 8, 2021 meeting of
18 the Board of Directors entered into closed session at 2:51 p.m. for confidential communications to include
19 Alex Heckman, Rachel Parrott, Fern Steiner, and Monique Wengeler.

20
21 1) **DISCUSSION:**

- 22 a. COVID SB 95

23
24 MOTION/Garcia, SECOND/Rinder to come out of closed session at 2:54 p.m.

25
26 1) **APPEARANCES**

- 27 a) Undersheriff Martinez – 2:00 p.m.

28 i) Undersheriff Martinez introduced herself to the board and members as the new Undersheriff.
29 Martinez addressed the following:

- 30 (1) She spoke about the department's recent directive to begin notifying the public about in
31 jail deaths. She also advised of additional tasers being distributed to DSB.
32 (2) President Leonhardi inquired about the Board of Supervisor's new direction. Martinez
33 stated she is finding them to be receptive, especially towards public safety education.
34 (3) Director Morabe asked about a recent email regarding booking 11-550s and asked what
35 deputies are to do. Martinez stated it was due to COVID issues and the state prison
36 commits number is up due to state prisons not able to take people in. She advised that
37 they would be meeting the following day to discuss because they understand it is
38 problematic not only to our agency but to others as well.
39 (4) Morabe then inquired about external vests and the department's stance regarding
40 tattoos, facial hair, etc. Martinez advised that the study to which Morabe referred is
41 currently on hold but is expected to resume in the future.

42
43 2) **LEGAL UPDATE: Steiner**

- 44 a) COVID SB 95

45 i) Discussed in closed session.

46
47 3) **CONSENT CALENDAR:**

- 48 a) Minutes from March 25, 2021

49 b) March Director Expense Report

50 c) Retirements

51 i) Victor Walker – 10 years of membership - \$2,000

52 ii) Randy Ruby – 20 years of membership - \$4,500

53 iii) Laura Whalen - \$100 additional adjustment for detention service

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1
2 MOTION/Morabe, SECOND/Sanders to approve the consent calendar. Motion unanimously carries.
3

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

5 a) NAACP Request

- 6 i) President Leonhardi presented an opportunity to partner with Dr. Robert Lee Brown on a
7 NAACP project. Leonhardi advised that the board request is for \$5,000 to be used to produce
8 a monthly TV infomercial. This infomercial is designed to improve and enhance collaborative
9 relationships between the community and law enforcement.
10 ii) The board requested that Dr. Robert Lee Brown come present to the board.

11 b) Dispatcher Appreciation Week

- 12 i) The DSA would like to put together a gift for dispatchers for Dispatcher Appreciation Week.

13
14 MOTION/Garcia, SECOND/Rinder to approve \$1,000 for dispatcher appreciation week.
15 Motion unanimously carries.
16

17 c) DSA BBQ

- 18 i) President Leonhardi advised that he received a quote for a BBQ trailer from East Texas
19 Smoker Company in the amount of \$31,495. Leonhardi advised that, to tow the trailer, the
20 DSA will also need to purchase a truck. The board discussed what the overall budget should
21 be for the trailer, truck, and cooking necessities. They also spoke about the opportunity to go
22 to different stations and work locations for regular BBQ events.
23

24 MOTION/Rinder, SECOND/Sanders to approve up to \$65,000 for the BBQ trailer project. Motion
25 unanimously carries.
26

27 d) Hazard Pay

- 28 i) Leonhardi advised that COVID-19 hazard pay was discussed at the most recent Board of
29 Supervisors meeting. To date, nothing has changed, and hazard pay is still unlikely.
30

31 **5) VICE PRESIDENT'S REPORT: Castillo**

32 a) DSB Staffing and Safety Meeting

- 33 i) Vice President Castillo and President Leonhardi met with Assistant Sheriff Frierson and DSB
34 command. Restrictive movement and lockdowns were discussed.
35 ii) Watch Commander Logs
36 (1) Prior to the meeting, Castillo reviewed bi-weekly reports for the busiest jails. Assistant
37 Sheriff Frierson and Commander Turner stated that they understand that the department
38 is trying to fix that issue moving forward by allowing more overtime moving forward.
39 Leonhardi and Castillo will be conducting a follow-up meeting in a few months to see
40 where they are. Until then, Castillo will continue monitoring the reports.
41

42 **6) SECRETARY/TREASURER REPORT: Benjamin**

- 43 a) No report.
44

45 **7) COMMITTEE REPORT**

46 a) **FINANCE/BUDGET:** Benjamin

- 47 i) No report.

48 b) **PORAC:** Garcia

- 49 i) No report.
50

51 Lewis arrived at 4:08 p.m.
52

53 c) **POLITICAL ACTION:** Leonhardi

- 54 i) PAC update

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- 1 (1) The San Diego Group's John Wainio updated the board regarding the 79th Assembly
2 District.
- 3 d) **NEGOTIATIONS:** Castillo
4 i) No report.
- 5 e) **MEMBER EVENTS:** Rinder/Lewis
6 i) No report.
- 7 f) **MEMBERSHIP:** Garcia
8 i) No report.
- 9 g) **DONATIONS:** Sanders
10 i) AOCDS Donation request
11 (1) No action taken.
- 12 h) **BYLAWS/STANDING RULES:** Morabe
13 i) No report.
- 14 i) **MEET & DISCUSS/CONFER:** Castillo
15 i) P&P 6.131 - Proposed Policy Changes to BWCs
16 (1) DSA Attorney Brad Fields stated that the primary concern is the issue of expansion of the
17 process that could potentially lead to more issues for the members regarding internal
18 investigations. Fields advised there is always potential for supervisors to go over BWC
19 footage, especially if there are issues of misconduct. The concept of mandating a
20 canvassing of deputies' BWC footage was not included in the original policy and could be
21 problematic, resulting in added workloads or unfair spot checks.
22 (2) The board discussed the potential hazards that come with this and, if it were to be
23 mandated, how to ensure that if spot checks are being completed it is being done fairly,
24 with specific accountability measures in place, such as logs.
25 (3) Leonhardi and Castillo will be meeting to discuss the proposed changes April 15th.
- 26 j) **SCHOLARSHIPS:** Lewis
27 i) No report.
- 28 k) **PEACE OFFICER MEMORIAL:** Benjamin/Morabe
29 i) No report.
- 30 l) **LEGAL DEFENSE:** Castillo
31 i) No report.
- 32 m) **SICKNESS AND DISTRESS:** Rinder
33 i) No report.
- 34
- 35 **8) UNFINISHED BUSINESS**
- 36 a) Director Conduct
- 37 i) President Leonhardi advised the board of a text that he received from Director Morabe stating
38 that Directors Lewis and Castillo were retaliating against her by bringing up a previous
39 investigation, and in doing so, violating state and federal law, and she will no longer tolerate
40 it. Leonhardi advised this was the first of him being notified of Morabe feeling retaliated
41 against and wants to take every allegation seriously.
- 42 ii) Director Morabe stated she believes that the more the issue is discussed, the bigger the
43 problem becomes. She stated there were several comments in open meetings and one
44 email, and it is inappropriate. Morabe stated that bringing it up constitutes retaliation and
45 asked for attorney Jon Cadieux to intervene.
- 46 iii) Attorney Cadieux advised that the law distinguishes between annoyances, inconveniences,
47 and insults. The only time those can become considered adverse employment actions is
48 when they create a hostile work environment. In this context, what would be a retaliation
49 claim would be if Morabe felt that there were severe and pervasive actions being taken
50 against her because of the complaint being made. The board needs to decide if this needs to
51 become something where an investigator to be hired or is this something where Morabe is
52 stating she is not being treated with the respect and courtesy she deserves and directors
53 need to stop bringing up the prior investigation. He stated if Morabe was comfortable
54 speaking more about what her concerns are and whether she feels it meets the legal
55 definition of retaliation or if she is stating that it is discourteous treatment that needs to stop.

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- 1 iv) Morabe stated that there are discourtesies and disrespectful treatment. She then advised of
2 an email that went out to the entire board and a comment about the investigation. She also
3 stated that Vice President Castillo made two open remarks about it in meetings last year. She
4 stated it is inconsiderate, disrespectful, and inappropriate and that is why the text was sent to
5 President Leonhardi, with hopes that it doesn't escalate into something more serious.
- 6 v) Vice President Castillo asked what was said by him because he does not recall anything
7 being said in an open forum, but rather discussed in closed session.
- 8 vi) Cadieux asked if anyone has issues with Morabe's request to not bring up the investigation.
- 9 vii) Leonhardi stated that while there are no issues with not bringing up the past investigation, the
10 directors accused deserve clarification of how they previously have brought up the
11 investigation so they can avoid doing so in the future. He also stated that he wants to make it
12 clear that he has not and will not allow any retaliatory behavior.
- 13 viii) Director Lewis stated she did not see how she has brought up an investigation she was not a
14 part of and the only knowledge she has of it is from rumors from members before she came
15 into the DSA. Lewis then stated that she is getting annoyed that the board has to keep talking
16 about Morabe when there are assembly bills and all types of law and policies that are going
17 to adversely affect law enforcement and the board is spending time talking about this. Lewis
18 then stated it is her perception that the board is being bullied and intimidated anytime they
19 want to hold Morabe accountable, and that Morabe apologizes for her actions, but a month
20 later she states they are retaliating against her.
- 21 ix) Vice President Castillo stated he agreed with Director Lewis and advised that he had a
22 member who wanted to meet with him and was asked why "the board doesn't like Dawn".
23 Castillo stated his concern because the member had email information that went between
24 directors and Castillo made a comment saying he was surprised the member had that
25 information.
- 26 x) Director Morabe stated that members hear how the board speaks to her and wants to go
27 back to what Attorney Cadieux said.
- 28 xi) Director Garcia asked how they all talk to her.
- 29 xii) Morabe stated what she is asking for is not unreasonable.
- 30 xiii) Director Benjamin stated that, in her opinion, when Morabe says people are attacking her, it
31 is really other directors being passionate about a topic, because everyone in the room should
32 be able to have passion, and if voices raise, it is not because they are attacking but because
33 they feel strongly about a situation. Benjamin then stated she does not know how the board is
34 supposed to solve the problem. She then asked Morabe how the board can speak to her
35 without her feeling attacked.
- 36 xiv) Morabe then stated that is not the problem and asked to go back to what attorney Cadieux
37 stated. She stated she did not want to make it messy, because the more the board does this,
38 the more it makes the board look unprofessional.
- 39 xv) Director Lewis stated that the board already looks unprofessional and they are not helping it
40 by doing what they are doing now. She asked for clarification of how they all speak to
41 Morabe. She stated that Morabe refuses to answer questions, but issues complaints on the
42 back end, and the board is then accused of doing something wrong. She stated it is unfair
43 when being accused of something and asking questions of what/how, but no answers are
44 being given as to how she can make sure that isn't being done.
- 45 xvi) Attorney Cadieux stated that though these are tough conversations to have and no one likes
46 to be accused, what he is hearing from the directors is that when being accused of violating
47 the law, especially as a law enforcement officer, it is not something that should be taken
48 lightly. Cadieux then suggested to distinguish a violation of law versus something you feel is
49 insulting. Cadieux then stated all of the board should have the right to voice opinions, but the
50 productive way to address instances of hurt feelings is immediately after the incident.
51 Cadieux advised against using legal buzzwords because when that happens Leonhardi and
52 legal advisors have to get involved because if they don't, it is a violation of the law.

9) NEW BUSINESS

- a) PORAC LDF Training Approval

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- 1 i) The PORAC LDF training conference has been moved from Nashville to Las Vegas. As LDF
2 Chair and PORAC chair, Leonhardi would like for Vice President Castillo and Director Garcia
3 to attend. To send Castillo and Garcia, the board will need to approve up to \$3,000 for travel,
4 class hotel, per diem, etc.

5
6 MOTION/Benjamin, SECOND/Morabe to approve up to \$3,000 to attend PORAC LDF training.
7 Motion unanimously carries.

8
9 b) K-9 Unit BBQ Request

- 10 i) The K-9 Unit requested a BBQ.

11
12 MOTION/Castillo, SECOND/Sanders to approve up to \$500 for a BBQ. Motion unanimously carries.

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14 **10) GOOD OF THE ASSOCIATION**

- 15 a) No report.

16
17 **11) ADJOURNED 5:02 P.M.**