

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 August 12, 2021 at
2 2:04 p.m.

3
4 **ROLL CALL OF DIRECTORS:**

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

6 **Absent:**

7
8 The Executive Meeting of the Board of Directors was recessed at 4:12 p.m. and President Leonhardi
9 called the General Membership meeting to order at 5:31 p.m.

10
11 **MEMBERS IN ATTENDANCE:**

12 Amanda Johnson

13 Ben Nazarian

14 Brian Horan

15 Brian Lopez

16 Chad Kelly

17 David Lovejoy

18 Heather Arthur

19 Jessica Caporaso

20 Ken Newsom

21 Laura Hurtado

22 Mark Bryan

23 Marshall Abbott

24 Mike DaSilveira

25 Mirelle Chateigne

26 Mike O'Deane

27 Nicholas McGregor

28 Oscan Sanchez

29 Scott Johnson

30 Spencer Hildreth

31 Stephen Cazares

32 Timothy Richards

33
34 Upon motion by Benjamin, Second by Castillo, and passed by unanimous vote, the August 12, 2021
35 meeting of the Board of Directors entered into closed session at 4:07 p.m. for confidential
36 communications to include Fern Steiner, Rachel Parrott, and Monique Wengeler.

37
38 1) **DISCUSSION:**

39 a. Relief Case #2021-05

40
41 MOTION/Rinder, SECOND/Sanders to come out of closed session at 4:13 p.m.

42
43 1) **CONSENT CALENDAR:**

44 a) Minutes from July 22, 2021

45 b) Retirements

46 i) Arturo Benavidez – 22 years membership (20 as class 1) - \$4,700

47 ii) Rick Castro – 11 years membership - \$2,200

48 iii) Ruben Lopez – 17 years membership - \$3,600

49 iv) Todd Richardson – 32 years membership - \$8,400

50 c) Director Expenses

51
52 MOTION/Benjamin SECOND/Castillo to approve the consent calendar. Motion unanimously carries.

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1 2) **PRESIDENT'S REPORT:** Leonhardi

2 a) COVID Vaccine/Mandatory Testing Meet and Discuss

- 3 (1) President Leonhardi advised that the DSA has a meet and discuss with the county
4 scheduled for Monday, August 16. In other counties and cities, they are taking the
5 position that employees must be vaccinated. Our county is maintaining the position that
6 they will allow employees to test weekly for COVID.
- 7 (2) Director Shawcroft stated that he believes it will be well received with detentions deputies
8 because they understand the risks of working in that setting.
- 9 (3) Numerous concerns were discussed about how testing will be implemented, who will be
10 implementing the testing, how it will be paid for, will it be paid for on county time, etc. All
11 these details will be discussed during the Meet and Discuss process.
- 12 (4) Attorney Steiner advised that while the county begins writing preliminary policies covering
13 all county employees even though the State order only requires health care workers and
14 those working in congregate settings.
- 15 (5) Steiner discussed the legal requirement to allow exemptions for religious and medical
16 reasons and that the option to test rather than be vaccinated fulfills this requirement.
17 Steiner advised that another major part of the discussion is the timing and when the
18 policy will be implemented and whether they will give employees the time to get
19 vaccinated prior to the implementation of the policy. Steiner stated that discipline should
20 not be involved here but it's something that should be discussed at the Meet and Discuss
21 meeting. Steiner advised that the current state order requires every other week versus
22 weekly.
- 23 (6) Director Morabe asked what would happen if a deputy tested positive during one of their
24 weekly or every other weekly test.
- 25 (7) Steiner stated that there is still a program that covers up to 80 hours for COVID leave and
26 a deputy would be forced to quarantine for a period.
- 27 (8) Director Rinder asked if we were aware of what other large agencies throughout the state
28 were doing.
- 29 (9) Steiner responded that quite a few of the large agencies are requiring vaccination without
30 an option to test, but we will continue to see developments over the coming month.
- 31 (10) Member Allan Paez asked what occurs if a member is forced to quarantine or is sick
32 more than once and surpasses the 80 hours of COVID Leave.
- 33 (11) Steiner stated that it's 80 hours total per time offered, so they would not receive more
34 leave beyond the initial 80 hours, unless something additionally was implemented or
35 offered. The department can require deputies to use their own sick time if they go beyond
36 the 80 hours, but the DSA and department can work with the county to come to solutions
37 for this issue.

38 b) Investigative Committee

- 39 i) President Leonhardi advised that he sent a letter to the board with documentation outlining
40 Standing Rule/Bylaw violations by Director Morabe and requested the creation of a
41 committee to investigate the documentation and give a recommendation of suspension,
42 expulsion, or some other sanction to the board.
- 43 ii) Morabe stated she would like to say that the document is very lengthy and will be made
44 available for members to read. Morabe stated that she engaged in certain activity for the
45 purpose of protection of the corporation and member dues. She stated she had a fiduciary
46 responsibility as a dissent vote, she stated it was a very contentious process to get it out to
47 the members.
- 48 iii) Morabe went on to say there already is a recall being circulated and asked to let that process
49 play out. She stated that members voted her in and should have the choice to vote her out.
50 She stated not allowing that process to finish its way through and then starting this expulsion
51 is vindictive and an abuse of power. Morabe stated that this board should never find
52 themselves in a position to expel any member who hasn't engaged in criminal conduct. She
53 went on to say the Bylaws allow the board to make this decision on their own and she thinks
54 it's dangerous, destructive, and divisive. Morabe then stated if you allow boards to make the

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1 decision on who gets to stay and who doesn't because of a disagreement, if they're a dissent
2 vote, or just don't like what they are saying, that's dangerous.
3

4 MOTION/Castillo, SECOND/Benjamin to create an investigative committee to investigate the
5 suspension and/or expulsion of Dawn Morabe's membership based on failure in a material and
6 serious degree to observe the rules of conduct of the Corporation and for engagement in conduct
7 materially and seriously prejudicial to the purposes and interests of the corporation.

8 AYES: Benjamin, Castillo, Garcia, Lewis, Rinder

9 NOES: Morabe, Sanders, Shawcroft

- 10
11 iv) CAO Parrott advised that the next step in the process, is that each director gets (2) note
12 cards to select any Class 1 Active member in good standing and write them down, each of
13 the notecards will be collected and (3) names would be randomly drawn with (2) alternatives
14 in case they decline and that will form the investigative committee.
15 v) Member Brian Bentley asked the board how this is benefiting the membership. He said there
16 is currently a recall and asked if the Directors could give more information as to why this
17 decision is being made.
18 vi) Leonhardi stated that while there is a recall, it is his opinion that the behavior is growing
19 worse and driving a wedge in the association that needs to be addressed. Leonhardi advised
20 that after the recall was announced, Morabe sent out an email to over 100 members accusing
21 the board of corruption on numerous fronts.
22 vii) Morabe stated she didn't accuse the board because she did not say "the DSA Board".
23 viii) Member Spencer Hildreth picked the (3) names for the committee: Annette Abril, Patrick
24 McEvoy, and Tom Horning.

25
26 c) Truck for BBQ trailer

- 27 i) Leonhardi advised the BBQ trailer is scheduled to be finished in Texas at the end of August.
28 The DSA is still looking for a truck to be able to tow the BBQ, but they're having a hard time
29 finding a truck for the \$25,000 that was approved. Leonhardi advised they will keep looking,
30 but potentially may have to request more funds to purchase.
31

32 3) **VICE PRESIDENT'S REPORT:** Castillo

- 33 a) Vice President Castillo advised he has a meeting on Monday, August 16 with a committee to look
34 at the process for policy and procedure regarding BWCs in DSB.
35

36 4) **SECRETARY/TREASURER REPORT:** Benjamin

- 37 a) UBS Investment update.
38 i) The DSA investments are currently at \$10,832,766.42, with a year-to-date performance of
39 +10.91% and 24.33% in fixed income/bonds.
40

41 5) **COMMITTEE REPORT**

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

- 43 i) No report.

44 b) **PORAC:** Garcia

- 45 i) Director Garcia advised that PORAC has completed their new building.
46 ii) Garcia stated that the SB 2 decertification is still working its way through the process. He
47 advised that politicians are starting to be receptive towards amendments.
48 iii) Morabe advised that the PORAC Local Chapter meeting is the second Wednesday of every
49 month. She advised that the legal defense firms gave a briefing regarding COVID reminding
50 all associations to assert the legal rights to Meet & Confer.

51 c) **POLITICAL ACTION:** Leonhardi

- 52 i) PAC Meeting update
53 (1) Jordan Marks endorsement request for Assessor/ Recorder/County Clerk, County of San
54 Diego.
55

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1 MOTION/Castillo, SECOND/Lewis to endorse Jordan Marks for Assessor/ Recorder/County Clerk,
2 County of San Diego. Motion unanimously passes.

3
4 (2) Rebecca Jones endorsement requested for Mayor, City of San Marcos

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6 MOTION/Garcia, SECOND/Lewis to endorse Rebecca Jones for Mayor, City of San Marcos. Motion
7 unanimously passes.

8
9 (3) Brian Jones endorsement requested for State Senate, District 38.

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11 MOTION/Benjamin, SECOND/Castillo to endorse Brian Jones for State Senate, District 38. Motion
12 unanimously passes.

13
14 ii) Sheriff Candidate Forum

15 (1) The DSA will be hosting the 2022 Sheriff Candidate Forum Thursday, August 26 from
16 5:00 – 8:00 p.m. Hear from 2022 Sheriff Candidates Kelly Martinez and Dave Myers.
17 RSVPs are required, please visit: www.dsasd.org/Sheriff2022

18
19 MOTION/Lewis, SECOND/Castillo to approve up to \$2,000 to host the 2022 Sheriff Candidate Forum
20 at the DSA office. Motion unanimously passes.

21
22 d) **NEGOTIATIONS:** Castillo

23 i) No report.

24 e) **MEMBER EVENTS:** Rinder/Lewis

25 i) The Deputy Sheriffs' Memorial Golf Tournament.

26 (1) The tournament has sold out.

27 ii) DSA Dinner Dance

28 (1) The DSA Dinner Dance will be Saturday, August 14 at the Torrey Pines Hilton.

29 iii) DSA BBQ competition

30 (1) The DSA will hold a BBQ Competition on Saturday, September 25. This will be a team-
31 style competition for DSA Members. To get more information visit: www.dsasd.org/BBQ.

32 iv) DSA Store Excursions

33 (1) The DSA will be holding our first of many hunting & shooting excursions. The first trap
34 shooting excursion will be held Wednesday, August 25. You must enter online at
35 www.dsasd.org/excursions to sign up.

36 f) **MEMBERSHIP:** Garcia

37 i) Director Garcia updated the board that six members have joined since the beginning of the
38 amnesty period for the month of August.

39 g) **DONATIONS:** Sanders

40 i) Walk like M.A.D.D.

41 (1) Seeking donation for \$1,000.

42
43 MOTION/Sanders, SECOND/Benjamin to approve \$1,000 for M.A.D.D. 5K. Motion unanimously
44 carries.

45
46 ii) CNOA Golf Tournament

47 (1) Director Garcia advised that CNOA will holding a golf tournament September 20 and
48 asked the board if there would be any issues with sharing this with the membership. The
49 board discussed it being the same day as the DSA's tournament, but being that it's sold
50 out, we would share the information to social media.

51
52 h) **BYLAWS/STANDING RULES:** Morabe

53 i) Electronic Voting

54 (1) Director Shawcroft stated they are still trying to move forward with electronic voting to get
55 more participation with votes.

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- 1 (2) Morabe stated the Bylaws/Standing rules committee will be adjusting the language to
2 present to the board to move forward with electronic voting via i:Que.
3 ii) Adherence to Bylaws/Standing Rules
4 (1) Morabe advised the board that she recently wrote an article regarding grievances, and it
5 was denied for print. Morabe explained the context of the article and why she believed it
6 would be a valuable article to share with members. Morabe stated her issue was that
7 Bylaws/Standing rules state that the board and the editor have the right to not print, but
8 the article didn't go out to the board. Morabe stated that it is a violation of the Standing
9 Rules and asked the board to print the article.
10 (2) Secretary Benjamin stated she wanted to let others know she too has written articles that
11 weren't put into the magazine but understands why they weren't, so this was not a
12 specific attack on Morabe.
13 (3) Morabe stated she wants her article published because it's a good piece for members.
14 (4) Leonhardi advised that it is the editor and the board that have the authority to decide
15 whether to publish an article or not; in this case it was the editor's decision. Leonhardi
16 stated it doesn't mean that you need both directors and the editor to make that decision.
17 (5) Morabe asked the board if anyone is opposed to her article going to print.
18 (6) Secretary Benjamin stated that she did not have time between the first meeting and the
19 current meeting to go over it.
20 (7) Director Garcia stated his only concern is when deputies come to the DSA with what they
21 believe is a grievance, most of the time the DSA is able to rectify the situation before the
22 formal grievance process is necessary. Garcia stated he wants to be cautious in the
23 overall idea that deputies should just go and file grievances on their own.
24 (8) Morabe stated at the end of the article she states to come to the DSA, we're here to
25 support them.
26 (9) No action was taken.
27 i) **MEET & DISCUSS/CONFER:** Castillo
28 j) **INSURANCE:** Sanders
29 i) Insurance Update
30 (1) Director Sanders advised the Hartford plan will stay the same and vision will not be
31 increasing.
32 (2) Sanders advised in the coming months there will be an increase to the dental insurance
33 which would be anywhere from \$.39-\$4.63.
34 k) **SCHOLARSHIPS:** Lewis
35 i) No report.
36 l) **PEACE OFFICER MEMORIAL:** Benjamin/Morabe
37 i) No report.
38 m) **LEGAL DEFENSE:** Castillo
39 i) No report.
40 n) **SICKNESS AND DISTRESS:** Rinder
41 i) Relief Case #2021-05
42 (1) Discussed in closed session.
43

44 MOTION/Rinder, SECOND/Sanders to approve relief case #2021-05 as discussed in closed session.
45 Motion unanimously carries.
46

6) UNFINISHED BUSINESS

- 48 a) No report.
49

7) NEW BUSINESS

- 50 a) Antique Sheriff cars
51 i) Leonhardi advised that a sergeant in Ramona, who currently has the Polara at the station,
52 has asked if he can do upgrades/maintenance on the car. He will be donating his time and
53 asked if the DSA can put \$2,000 towards items needed to fix the car.
54
55

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1 MOTION/Rinder, SECOND/Shawcroft to approve up to \$2,000 for member to fix and run the
2 Polara car. Motion unanimously carries.

- 3
4 b) ECCT BBQ request
5 i) ECCT has requested a BBQ.

6
7 MOTION/Benjamin, SECOND/Lewis to approve up to \$500 for a BBQ. Motion unanimously
8 carries.

9
10 **8) GOOD OF THE ASSOCIATION**

11 a) Election Committee Ratification

- 12 i) President Leonhardi appointed, and the board ratified the following for the Election
13 Committee: Karla Menzies (Chair), Kevin Menzies, Jonathan Arevalo, Brett Fuller, Nanette
14 McMasters, Amanda Johnson, and Aidette Romero.

15 b) Retirement Benefit – Sanders

- 16 i) Director Sanders stated he wanted to talk about the DSA retirement benefit. Sanders stated
17 he would like the Bylaws Committee to discuss language to change the current process.
18 Sanders stated that members who don't retire from the department, but leave or move to
19 another state, should receive the retirement payout.
20 ii) The board discussed that the original reason for providing a retirement benefit was to create
21 an incentive to stay at the DSA. If they were to open it up, the consequence could be having
22 to reduce the benefit overall.

- 23 iii) The board agreed to look at numbers and research the costs.

24 c) Quarterly Sheriff/Command Luncheon – Morabe

- 25 i) Director Morabe advised of an idea regarding the quarterly meeting with the Sherriff and
26 Command Staff. Morabe stated currently the luncheon is held at a restaurant and she thought
27 it's important to break bread with command but thinks that maybe hosting two of the quarterly
28 meetings at the DSA where it establishes more credibility when having discussion, and also
29 with a formal agenda and meeting packet so there's more structure.

30 d) Ballot Results Email – Morabe

- 31 i) Morabe advised members asked about the verbiage of the results email that was sent out,
32 specifically regarding the "we regret to inform you" part. Morabe advised some members took
33 offense to that. Morabe also stated in the last line it stated "the DSA is not going to purchase
34 the museum as proposed" with that language being very open-ended, she asked Leonhardi
35 for clarification if that meant we're still at the table to do something with the museum.
36 ii) Leonhardi stated we're going to respect that the members voted no to purchase the museum.
37 He advised the HDSA has approached the DSA asking if there's a way to partner to preserve
38 the history. Leonhardi stated the one thing we have to respect is it got voted down, so the
39 DSA will talk about potential options, but it will have to be a way that benefits the DSA without
40 accepting any risks.

41 e) Speaker Slip – Luke Berhalter

- 42 i) Berhalter stated he wanted to give Director Morabe the opportunity to address a concern he
43 had based on a conversation they had the week prior. During the conversation, the recall
44 petition was discussed, and Berhalter stated Morabe told him the Undersheriff made it very
45 clear that anybody engaging in the recall petition by getting signatures in Sheriff's
46 Department facilities would be investigated by internal affairs. When Berhalter asked Morabe
47 if that was so, then how would they go about getting the signatures, Morabe's response was
48 that people would have to stand outside stations either before or after their shifts. Berhalter
49 continued that based on the Sheriff's email the day after their conversation, her statements
50 were not accurate, and he finds it negligent on Morabe's part to share misinformation.
51 ii) Morabe stated that Undersheriff Martinez emailed her and advised that "access to sheriff
52 facilities, stations and or other properties for the purpose of gathering signatures,
53 campaigning, for or against a recall and/or similar activity will not be authorized". Morabe
54 stated that the Sheriff overturned Undersheriff Martinez's directive when he came out with a
55 new one. She stated she didn't tell Berhalter that people would get investigated; what she did

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1 say was in response to Berhalter asking what if people did it, and her response was then they
2 might be subject to an IA. Morabe stated the people for the recall will try to get signatures and
3 the opposing may see them trying to collect signatures and mat report that and vice versa.
4 Morabe stated that could create a situation where deputies report each other and that is the
5 instance in whichwhen internal affairs investigations can happen, but the language she
6 relayed to Berhalter and read to the members was directly from Undersheriff Martinez.

7 f) Mike O'Deane won the door prize.

8
9 9) **ADJOURNED 7:03 P.M.**