



Tri-Counties Chapter

Meeting Minutes

March 21, 2011

I. Call to order

President Dave Wareham called meeting to order at 6:30 pm at the Harbor Restaurant in Santa Barbara.

Roll call

The following individuals were present:

1. Ryan Bates, Chapter Treasurer & V.P. Ventura Co, President (PHPOA)
2. Matt Findlay, President (VCDSA)
3. Roger Stephenson, PORAC LDF, (ESPOA) -- retired member
4. James Meter, Chapter Secretary (SBCDSA)
5. Ken Yuwiler, SHSW&L
6. Randy Watkins, Region III Director (VCDSA)
7. Eric Swartz, Myers Steven & Toohy
8. Dave Wareham, Chapter President, Director (VCDSA)
9. Gary Wyatt, AFLAC
10. Bill Daniels, I&B Trustee, Director (SVPOA)
11. John Snowling, Chapter Director, President (VPOA)
12. Kent Bodine, Ventura DA – retired member
13. Diane Hubbard, President (VCPPOA)
14. Rich Johnson, CSO Rep (VCPPOA)
15. Rene Smit, SBAPOA – retired member
16. Chris Corbett, Chapter V.P. Santa Barbara Co., Director (SBCDSA)

II. Approval of Minutes – Dave Wareham

A motion was made by Bill Daniels to approve the minutes of the January 2011 meeting held at the Harbor Restaurant in Santa Barbara. Matt Findlay seconded the motion. Discussion about adding donation to Ventura County Memorial which was passed at the January meeting; item as left off in error. The motion was amended accordingly and passed unanimously.

III. Treasurer's Report – Ryan Bates

Treasurer Bates reported General account balance of \$11,467.20 as of March 21, 2011.

John Snowling reported PAC account balance is \$15,491 and the PIC account balance is \$1,760.

IV. PORAC Officers Report – Mike Durant

PORAC Vice President Mike Durant unable to attend but sent his regards.

Randy Watkins briefed on behalf of Mike Durant. PORAC Executive Committee's trip to Washington D.C. Primary purpose of these trips is to lobby congressmen and senators. This year was a light agenda due to the current environment. They did make a point to discuss Senate Bill 28 ("D Block, 700 MHz for voice and data) which is an on-going attempt to get law enforcement all on the same bandwidth. Year past this move has not had any traction but appears to have some this year, but no guarantees. Major issue surrounding this move is the cost to implement. Their theory is great but the cost to implement across the board is notable. All and all trip described as "light" this year.

On-going issues at state level in terms of the budget. The Governor has failed to get the legislation to agree on putting the VLF tax extension on the ballot. Also brief discussion on state prisons sending prisoners to county facilities.

Point of clarification offered that the state would not actually send prisoners from state facilities to counties, state prisoners serving time would start at time of sentencing (if cases qualify) and remain at local facilities. This will cause a gradual build up over a period of a few years for counties to realize the true impact of this change. This change will also affect probation departments' roles with individuals serving time on low level charges.

Mentioned that cities and counties have allegedly been hiding funds in redevelopment account.

V. President's Report – Dave Wareham

President Wareham asked members present to share/discuss current concession talks in Tri-Counties area. John Snowling briefed on VPOA's recent contract extension/concessions. Bill Daniels reported on recent past negotiations for SVPOA. Roger Stephenson reported El Segundo POA recently gave up 13% in concessions, total package. Diane Hubbard reported briefly on VCPPOA's recent negotiations. Chris Corbett briefed on SBCDSA's recent concession talks. Ryan Bates briefed on PHPOA's contract recent history and current discussions. Please feel free to contact individual associations for details as discussion at the chapter meeting was very brief in terms of specifics.

Brief discussion of forensics audits occurred; pros, cons, and timing of conducting them. VPOA and SBPOA have conducted them in recent past.

Discussed Senate Bill 129 introduced by a Democrat from San Francisco area. Senate Bill is attempting to stop employers from testing employees for their medical use of marijuana. Support is growing and this could eventually affect law enforcement. Dave cited a recent survey at VSO and some of the comments returned in the survey were that medical marijuana should be permitted in the work place. These comments were the result of a question soliciting ideas to improve the work place, not something specific to medical marijuana.

VI. Committees

Insurance & Benefits – Bill Daniels reported the Trustees met on February 22nd. Utilization of benefits has doubled from 2009 to 2010; people are clearly using the benefits. Looking to go to direct pay for some benefits. LTD enrollment continues to increase. Does not appear anyone will be assessed a surcharge for significant usage for this past year. This will be continued to be monitored on an annual basis. Blue Cross Medical Insurance claims were up from 2009. Randy Watkins reported Blue Cross is not going to implement increases due to backlash from the department of insurance. Some companies are already phasing in increases as a result of Obamacare.

Eric Swartz with Myers, Stevens and Toohey was present and available for questions and assistance. Eric spoke briefly on the difference between the funding of the PORAC LTD fund and the CLEA plans and the difference between the solvency of each plan; notable difference. Feel free to contact Eric for further information.

Reminder about the Insurance and Benefits website www.poracinsurance.org as a resource for basic insurance questions as well as additional contact information.

Gary Wyatt with AFLAC was present and available for questions and assistance. Gary presented recent claims information and current rates of all plans offered by ALFAC.

LDF - Director Roger Stephenson reported membership at 90,297, 935 associations in 32 states as of March 1, 2010. Net assets \$6.13 million in reserves as of March 1, 2011. LDF has 42 active criminal cases. For calendar year 2010 LDF paid out approximately \$14 million in benefits. Rate letters should come out to associations in mid April. As usual, experience rating (usage) will affect your association's rate adjustments.

Roger discussed a recent trend of junior officers becoming complainants in use of force cases against peers. Something to be mindful of; may be generational differences. Cited a recent case when one officer became the accuser of fellow officer in a use a force case where the accusing officer did not assist partner in a combative suspect involved in a domestic dispute. Call for service ended in fatality (of suspect) via justified use of force.

Roger reminded chapter members of the LDF website which contains valuable articles and information. www.porac.org/ldf

Ken Yuwiler spoke briefly on the heels of the contract concession discussions. Historically the public used to respond to the threat of losing peace officers in their neighborhoods by supporting wages, benefits, and pensions; that is not the case right now. Ken mentioned this pendulum will swing back the other way once the public feels the direct result of fewer resources and increased response times to calls for service.

Ken also briefed on a recent case about attorney client privilege via emails when an e-mail is sent by a member to an attorney via agency e-mail system. If your agency has a "no personal use" policy for electronic mail, then there will be no expectation of confidentiality (attorney/client privilege). This includes via agency issued cell phones, including text messages. If you would like more specific details please contact Silver Hadden Silver Wexler and Levine.

Ken reminded everyone of the civil coverage and case monitoring service provided via PORAC LDF. LDF attorneys will ensure indemnification of member and monitor case. He also reminded members the importance on non-scope coverage.

Simple reminder from Ken; work is work, personal is personal. Always be cognizant of this simple rule to protect you. Ken offered a simple litmus test, "Would I do this if the Chief was sitting there?" Feel free to contact Ken with any questions. John Snowling also reminded chapter of issues surrounding stating you utilize your personal cell phone for work related business; attorneys are subpoenaing records for officers' personal phones in these cases. According to Ken this has also come up in administrative settings but the only evidence pursued was specific to incident being investigated. Again, use of personal cell phones (and admission of) is strongly discouraged. This issue is something to remind your individual association members about when conducting briefings.

RMT – John Snowling reported RMT up 11 associations statewide. Most recent were two fire associations. There are still no associations in our region.

PAC – Only report by John Snowling was the PAC and PIC fund balances (see above). Matt Findlay reported on the disappointment with Assemblyman Jeff Gorrell's actions of late. VCDSA is going to monitor his contradictory behavior; something to be aware of.

VII. Directors' Reports

Tri-Counties' Director John Snowling reminded everyone of the upcoming symposium in Las Vegas. State Peace Officers Memorial starts Sunday, May 1st. State Board is supporting the Governor's recommendation to eliminate the redevelopment agencies throughout the state. These redevelopment funds have been used to shelter monies which have been discovered through forensic audits. John also gave an update on Senate Bills.

Executive Board Director Randy Watkins had nothing further to report.

VIII. Vice-Presidents' Reports

San Luis Obispo Vice-President Dale Strobridge not in attendance, no report.

Santa Barbara County Vice-President Chris Corbett had nothing to report.

Ventura County Vice-President Ryan Bates had nothing to report.

IX. Unfinished Business

None discussed.

X. New Business

Gary Wyatt reported on AFLAC's program to suspend premiums for active duty military while deployed. Contact Gary if you have any questions.

James Meter advised he is stepping down as Secretary. New Secretary to be determined by President per chapter by-laws.

XI. Good of the Chapter

No discussion.

XII. Adjournment

President Wareham adjourned the meeting at approximately 08:05 pm.
Minutes submitted by: James Meter, Chapter Secretary