

CSLEA ALERT

October 30—November 13, 2009

www.cslea.com



Legal Defense Fund —Just a Peace Officers' Benefit?

Legal representation of its members is one of CSLEA's top priorities, so much so that it is the only association of state employees that has a staff of full-time, in-house attorneys who work on nothing else but CSLEA business. Sometimes, however, outside legal counsel is provided to a member in particular instances or geographic areas and paid for from CSLEA's Legal Defense Fund.

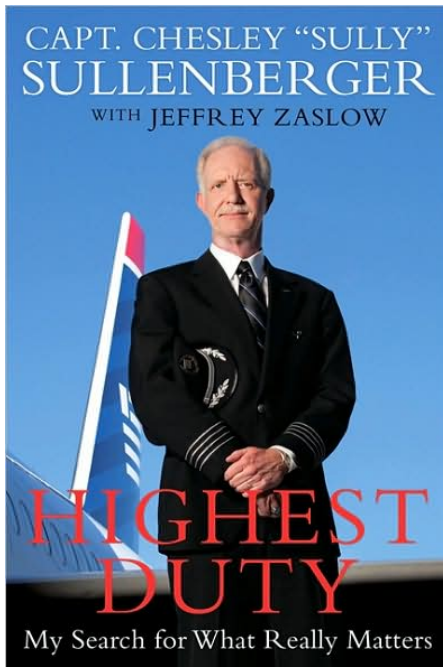
One such instance was a recent case involving a licensing registration examiner for the Dept. of Motor Vehicles who was charged by her agency with criminal conspiracy to commit burglary. The attorney provided to the DMV employee by the CSLEA Legal Defense Fund not only succeeded in having the charges dismissed at a preliminary hearing, but also is now asking the court to find the employee factually innocent.

"What I like about this case," said Kasey Clark,

chief legal counsel and general manager of CSLEA, "is that it beautifully demonstrates to our entire membership that our Legal Defense Fund is not just for sworn peace officers, but for all CSLEA members."

Columbus Day Grievance Filed

In addition to the two grievances on overtime and furloughs it has already submitted to the Department of Personnel Administration, CSLEA on Oct. 13 filed a third with the Department of Personnel Administration over the elimination of the Columbus Day holiday. The basis for the grievance is that legislative changes made in February cannot legally trump the expired Unit 7 contract, which has been extended by operation of law. That contract provides for a Columbus Day holiday.



Hero Pilot on Labor Unions

San Francisco Chronicle

October 13, 2009

"One of the benefits of a union is that it levels the playing field. No one person can stand up to management. It's only through the union that collectively we can have a voice and express grievances that will reach management ... There is a cost to every company when you don't have these cooperative relationships."

Capt. Chesley 'Sully' Sullenberger

CSLEA's first member BBQ a *sizzling* success



More than 200 CSLEA family members gathered for a barbecue in the parking lot of CSLEA headquarters in Sacramento on Oct. 10. Good food and laughter were ample, and prizes for adults and children brought even wider smiles to numerous winners.

"I want to thank Tina Brazil and Richard Cota for coming up with the idea for a barbecue and going the extra mile to make it work," said CSLEA President Alan Barcelona. "When they learned that the economy had forced us to cancel our annual CSLEA Conference this year, they suggested a barbecue after the October board meeting as a way to keep the continuity of our annual gatherings for the general membership alive. I'm very grateful I followed their advice. We can honestly say we've held a membership meeting for 29 consecutive years."

Farewell



Rob Elberg

Come December 31, Rob Elberg will bid farewell to 30 years of service to the state of California. The SEFFA-member firefighter, who is based at Camp Roberts, started with the California Highway Patrol, before moving over the old California Department of Forestry for five years.

After leaving CDF, Elberg came to work for the state Military Department at Camp Roberts, where he would spend the next quarter century of his working life. Since 1986, Elberg has been a SEFFA Board member.

“It will be like losing a close family member when Rob leaves the Board,” said SEFFA President Steve Bradley. “His experience will not easily be replaced, but he is departing for the very best of reasons: he’s put in his time and he deserves it.”

[Photo above: SEFFA President Steve Bradley (left) and CSLEA President Alan Barcelona (right) present Rob Elberg (center) with a plaque commemorating his 30 years of service to the safety of Californians.]

30 Year Celebration! An Oktoberfest

CSLEA turns 30 next year, so mark October 10-14 down on your calendars to attend the very special 30th CSLEA Conference

Open Orange County Assembly seat draws CSLEA interest

CSLEA President Alan Barcelona joined other members of the Orange County Coalition of Police and Sheriffs (OC Cops) for candidate interviews in the open Assembly District 72 seat, which was abruptly vacated by Mike DuVall last month.

Orange County Supervisor Chris Norby, local water board member Linda Ackerman, and public school teacher John MacMurray all sat for interviews by the OC Cops coalition.

Joining Barcelona were representatives from the California Correctional Peace Officers Association, the Association of Deputy Sheriffs of Orange County and the police officers’ associations of Anaheim, Fullerton, LaHabra, Santa Ana, Orange, Costa Mesa, Newport Beach, Irvine, and Laguna Beach.

Orange County is Ground Zero in a lawsuit on pension formulas. Like CSLEA-member sworn peace officers, Orange County deputy sheriffs also receive 3 percent at age 50. But the Orange County Board of Supervisors is challenging an element of that contract that it negotiated and approved, and if it prevails, it could have repercussion throughout law enforcement in the entire state of California.

“The deputy sheriffs of Orange County are not only on the front lines of crime, but are also on the front lines in an ugly battle to alter their pensions, which is why CSLEA is heavily involved in helping them defeat an unfair attack on their justly negotiated and deserved retirement formula,” said Barcelona. “For that and other reasons, CSLEA is a member of OC Cops.”



Meet Your CSLEA Field Representative

In addition to its own in-house legal team, CSLEA also has four field representatives to handle member needs, ranging from help with a difficult supervisor to reminding them of their many benefits to being a CSLEA member. They travel long distances, spend many sleepless nights at discount motels, and have stomachs constantly sloshing with slices of Domino's pizza and Safeway cola, and they are of incalculable value to CSLEA members. This edition of the CSLEA Alert profiles **Dave Fernandez**. The October 5-19 Alert profiled **Chris Scrimiger**. Future issues will profile **Richard Cota** and **John Knight**.

There was no line to stand in the day Dave Fernandez walked into a local DMV office and became the first law-enforcement official in state history to successfully serve the department a search warrant. But there were plenty of hard stares from angry supervisors and managers who greeted him when he did, and the fact that it was served by an investigator from a fellow state agency, the Dept. of Consumer Affairs (DCA), caused more than a few egos to bruise. That he did so as DCA's contribution to the multi-agency Southern California High-Tech Task Force on Identity Theft was of little consolation to DMV higher-ups, who had tried their best to stop him.

Dave Fernandez has done and seen a lot in his 26 years with the Department of Consumer Affairs (DCA), apprehending the client-groping barber, the pornography-showing family counselor, the chiropractor with a cure for cancer. But as with any investigator with DCA, it is the sex abuse and narcotic fraud cases by business licensees that sicken the most. So if serving a search warrant on DMV can bring a little twinkle to the world-weary of eyes of this veteran investigator, he can be forgiven the rare smile the job brought.

A native of Los Angeles, Fernandez joined the Navy in 1968 and requested duty in Vietnam, but – by that closely guarded logic known only to the

military and never civilians -- he was sent to the Mediterranean instead. Upon his return in 1971, Fernandez attended Pasadena City College and joined the Naval Reserve, where he remained as a Petty Officer until 1985. Before going into law enforcement he worked as an automobile mechanic and as a heating and air conditioning repairman.

After completing his POST certification, he landed him a job with San Gabriel Police Department as patrol officer from 1977 to 1979. In 1979, he entered state service with DCA.

After leaving DCA in 2004, Fernandez went to work for CSLEA as a field representative, assisting the association's 7,000 members with myriad problems and difficulties. "Anyone who currently works for the state needs to be in a union," Fernandez says. "It's not about wrong-doing; it's about getting the wrong manager."

Fernandez knows of what he speaks, not only from his nearly three decades in state service, but also through his 10 years as a board member with the CSLEA-affiliate California Association of Criminal Investigators. Fernandez also spent 13 years on the Labor Relations Committee, which he chaired for eight years.

Fernandez and his wife, Donna, make their home in Ontario and have two adult children and nine grandchildren. When free time allows, he enjoys RV'ing throughout the U.S.

