



**Executive Committee Meeting
PORAC Headquarters
Sacramento, CA
January 14, 2019**

The Executive Committee meeting was called to order by President Marvel at 8:31 AM. The Pledge of Allegiance was led by Vice President Kurtz. A moment of silence was observed all the officers killed in the line of duty nationwide and the men and women who serve in the military.

Roll call was performed by Secretary Beintema.

Roll Call

Proxy

Brian Marvel	President
Damon Kurtz	Vice President
Timothy Davis	Treasurer

Region I

Barry Donelan	Oakland POA
Paul Kelly	San Jose POA

Region II

Randy Beintema	San Joaquin Co DSA
Tim Caughron	Kern Co LEA

Region III

Anthony Sanders	Ventura DSA
Marshall McClain	LA Airport POA

Region IV

Tony Bolanos	Ontario POA
Jesus Montana	San Diego Schools PMA

Others in Attendance

Robert Bonsall, Corporate Counsel; Grant Ward, SEBA Director-At-Large; Kelly Martin, El Monte Police Jailers, SEIU Local 721; Aaron Read, Aaron Read & Associates; Randy Perry, Aaron Read & Associates; Michele Cervone, Aaron Read & Associates; Maria Jimenez, IBT Chief Operating Officer; Claude Alber, Training Manager; Chris Steele, PR/Communications Manager; Kim Busman, Chief Operating Officer, Manager/Recorder.

Approval of the Minutes

The minutes from the October 10, 2018 Executive Committee meeting were reviewed.

Upon motion duly made by Director Donelan and seconded by Director McClain to approve the minutes of the October 10, 2018 Executive Committee meeting. Motion carries. Abstain: Kurtz, Davis, Montana, and Beintema.

Membership Report

Vice President Kurtz presented the Regular membership applications for Hercules PMA, Newark PMA, Del Rey Oaks POA, SMUD Public Safety Officers Association and the Reserve membership applications for Del Rey Oaks RPOA and Escalon RPOA.

There was discussion regarding the rank and file no objection letter for Newark PMA as it was not clear if the rank and file objected to the establishment of the management association. There was also discussion regarding the Hercules PMA application being incomplete as it was not signed by the President of the association.

Upon motion duly made by Director Donelan and seconded by Director Caughron to approve the Regular membership applications for Hercules PMA, pending the signature of the association President, Del Rey Oaks POA and SMUD Public Safety Officers Association as well as the Reserve applications for Del Rey Oaks RPOA and Escalon RPOA as presented. Motion carries.

Vice President Kurtz reported that he met with Peter Finn, Teamsters 856, to address the issue brought up at the 2018 Conference of Members as it relates to ensuring the association president contact information provided for each association be a member of the association. He stated that he will continue working with Mr. Finn to ensure the associations contact information represented by Teamsters 856 are updated accordingly.

Vice President Kurtz also reported that the LA Detention Officers Association recently contacted him regarding a membership roster issue stating due to a miscommunication at the association level they neglected to remove several members timely, some of which should have been removed 5 years ago. They have requested PORAC credit them back for the members dues associated with those members. Vice President Kurtz stated that he discussed the issue with Chief Operating Officer, Kim Busman, who stated that PORAC's past practice has been to refund associations with extraordinary circumstances a maximum of four quarters dues.

Upon motion duly made by Vice President Kurtz and seconded by Director McClain to refund the LA Detention Officers Association a maximum of four quarters dues for its members it neglected to remove from its roster in a timely manner. Motion carries.

Vice President Kurtz reported that he received an email from the Newark POA president clearly stating that the rank and file do not object to the membership of the Newark PMA.

Upon motion duly made by Director Donelan and seconded by Director Sanders to approve the Regular membership application from Newark PMA. Motion carries.

President's Report

President Marvel reported on the recent Law Enforcement coalition teleconference meetings that took place on November 28, 2018 and January 11, 2019 regarding post AB 931 and the 2019 legislative strategy planning. He stated that the polling is now complete.

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LDF panel attorney's David Mastagni, Jr. and Alison Berry-Wilkinson, along with Legal Defense Administrator, Ed Fishman joined the meeting via teleconference to discuss an amicus brief regarding SB 1421. There was discussion regarding the various issues and concerns related to SB 1421.

Upon motion duly made by Director Donelan and seconded by Director McClain to approve up to \$7,500 on an amicus brief for SB 1421. Motion carries.

Director Sanders discussed the issues occurring in Ventura County related to SB 1421 and releasing officer records. He confirmed that PORAC's argument will be based on using the Brady and Pitchess motions to address the issue.

President Marvel stated that he and Vice President Kurtz met with POST to introduce Vice President Kurtz. He stated that POST has been included in the current budget proposed by Governor Newsom. He stated that if the current proposed budget is approved POST will receive \$14.9 million in funding as well as an additional \$20 million to be used for mental health issues and de-escalation.

He reported that he attended his last RIPA Board meeting as Vice President Kurtz will be taking over as PORAC's representative on the Board. He also stated that LaWanda Hawkins has been appointed to the RIPA Board which brings the total pro-law enforcement Board members to six now sitting on the RIPA Board.

President Marvel reported that he and Vice President Kurtz attended Governor Newsom's inauguration ceremonies on January 6th and 7th. He also updated the board on the various meetings he has attended since the Conference of Members including the Alliance for a Better California, the Mod Dem Event and the CPOMF Board meeting. He reported that the CA Peace Officer Memorial Ceremonies will be open to everyone again this year and will not require a ticket. He stated that a total of ten officers will be added to the memorial at the ceremony. He also reported that Davis police officer, Natalie Corona's, EOW January 10, 2019, funeral services will be held on January 18, 2019.

President Marvel discussed the various podcasts throughout 2-018 as well as the upcoming On the Job with PORAC podcasts. He stated that the next podcast will discuss AB 931.

Director Caughron stated that he has received complaints from his members regarding the backlog of POST certificates and inquired if the issue is being addressed by POST. President Marvel stated that they are currently working to address the backlog. He also stated that POST has changed their process of issuing certificates so that the first certificate will be no charge, however any certificates after that will cost \$25. Director Donelan stated that the decision to begin charging for the certificates relates to POST receiving requests from several officers every six months for their next certificate, however those officers did not qualify for the certificate they were requesting. President Marvel reported that POST is also in the process of updating their oath to remove "mankind" and "God" from the oath due to complaints they have received.

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President Marvel reported that he is working to rebrand the PORAC training to increase it's branding. He also reported that PORAC is working on applying for one of the POST grants to create a wellness program for officers. He also reported that PORAC has hired a new Communications Coordinator, Kylie Fryar, who will be working with Chris Steele in the Communications Department.

President Marvel discussed an inquiry he received from a retired officer regarding Proposition 63 and the purchasing of ammunition. He stated that in order to purchase ammo your information will have to be processed through the DROS system and that there is no exemption for active law enforcement officers. Director Beintema stated that if you purchased a firearm in the past five years your information is in the DROS system. Director Sanders stated that the exception to that would be if you purchased a gun under one address but have since moved you will have to have your information run through the DROS system.

President Marvel reported that PORAC received a \$5,000 donation from California Casualty for the Wildfire Relief Fund. He also discussed National Police Week sponsorship opportunities for 2019.

Upon motion duly made by Director Beintema and seconded by Director Donelan to donate \$7,000 for the Critter for Kids. Motion carries.

Vice Presidents Report

Vice President Kurtz reported that PORAC currently has 69,096 members within 904 associations. He stated he is working to get up to speed since he took office on January 1st.

Treasurer's Report

Treasurer Davis stated he is working on getting up to speed since taking office on January 1st as well. He reviewed the financials dated November 30, 2018 included in the meeting packet.

Treasurer Davis reviewed an invoice from the City of Upland related to the release time for former Treasurer Blanco.

Upon motion duly made by Treasurer Davis and seconded by Director Bolanos to approve the City of Upland invoice in the amount of \$3,060. Motion carries.

Treasurer Davis presented late expense voucher reimbursements from Director Knittel for the August Board meeting and Director Bolanos for the May 2018 Board meeting and the September 2018 E-Committee meeting.

Upon motion duly made by Treasurer Davis and seconded by Director Montana to approve the late expense vouchers as presented. Motion carries. Abstain: Bolanos

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Treasurer Davis discussed the direction of the Board of Directors to have refer the redesign of Headquarters to the Executive Committee and asked for direction on how to proceed. He stated that the issue is that Headquarters has a shortage of office space due to the growth of the PORAC staff and the IBT staff. He stated the second issue deals with the Conference room being expanded to accommodate larger training classes as well as the Board of Directors meeting. Director Beintema discussed the cost difference between purchasing a new building versus the expense to remodel the current building. There was discussion regarding the current offices being large enough to split so that multiple employees were in one office space. There was also discussion regarding the growth of both PORAC and IBT and possibility of the two entities needing separate buildings soon.

Upon motion duly made by Director Sanders and seconded by Director McClain to double up employee's in one office space to accommodate future growth as necessary. Motion carries.

Legislative Report

Aaron Read, Aaron Read & Associates, stated that the legislature was back in session as of January 7, 2019. He stated they are expecting 1,000 to 2,000 new bills. He also stated that the deadline to go to counsel is January 25th and the last day to introduce new legislation is February 22nd. He reported that the Assembly adopted a new rule that allows the Chairman of a committee to deny a hearing on any bill. Mr. Read stated that President Marvel, Vice President Kurtz and Mr. Perry have attended several meetings regarding working towards getting the various groups on the same page.

Mr. Read stated that Governor Newsom has expressed his desire to have a good working relationship with PORAC. He stated that health and wellness is going to be a huge focus for 2019 as it relates to first responders. He also reported that Governor Newsome put included \$6 million for health and wellness in his proposed budget for Cal Fire. He discussed the various Governor appointments that have been made so far.

Kelly Martin, El Monte Jailers SEIU Local 721, discussed proposed legislation to change 831 PC to allow custody officers peace officer status while on duty so that they have the added protections. Director Beintema discussed the history of the issue and stated that changing 831 PC, sheriff's departments would lose members because custody officers are less expensive than active peace officers. There was discussion regarding alternative ways to protect custody officers without having the negative impact on local peace officers. President Marvel stated that further discussion should be had on the issue and should be brought back to the Board of Directors meeting on February 4th.

Randy Perry, Aaron Read & Associates, discussed AB 931 and the approach they are working on for the 2019 legislative session. He stated the first goal is to get funding to create programs to assist on calls dealing with mentally ill civilians. He stated that the ACLU has proposed their own use of force legislation, but the proposed language has not moved away from their original position. He stated he is expecting a call from the Pro Tem today to let PORAC know how to proceed with its proposed legislation.

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Director Montana stated that he sits on the San Diego County use of force committee and they have seen the trend to be following what is coming out of Lexipol. Director Donelan asked what the roll out plan is for the legislation. Mr. Perry stated that they are going to begin discussing the legislation with legislators today.

Director McClain spoke about the polling and stated that he does not feel it changes the decisions made by legislators. Mr. Perry spoke about SB 1421 and reported that they have a meeting set up with Representative Skinner on January 15, 2019 to discuss PORAC's issues with the legislation.

SPAC Chairman, PJ Webb, discussed spoke about the legislation previously proposed related to charter schools in a public-school district and making it a requirement that they use the school police department within the district if one exists. He stated after further research they have discovered some possible issues with the legislation that could negatively impact school police so he would like to hold off the legislation for the time being.

Mr. Webb discussed proposed legislation to allow school supervisory groups with less than 20 school supervisory peace officers to establish their own bargaining unit. He stated that current law does not allow school supervisors to create their own bargaining unit if they do not have 20 or more school supervisory peace officers.

Upon motion duly made by Director Montana and seconded by Treasurer Davis for PORAC to sponsor legislation to allow school supervisory peace officers to establish their own bargaining unit regardless of the number of supervisory peace officers.
Motion carries.

Mr. Webb discussed proposed legislation to amend the Labor Code to expand the coverage of provisions relating to compensable injury to all peace officers, including school police.

Upon motion duly made by Director Montana and seconded by Treasurer Davis for PORAC to support legislation to expand the Labor Code to add the workers compensation presumptions to school police. Motion carries.

Mr. Perry discussed AB 33 (State Public retirement systems: divestiture from private prison companies). He stated that this legislation would outlaw the ability to spend public employee money to invest in private companies that would take from public employee jobs.

Upon motion duly made by Director Bolanos and seconded by Director Caughron to oppose AB 33 33 (State Public retirement systems: divestiture from private prison companies). Motion carries.

Mr. Perry discussed AB 54 (Peace officers: video and audio recordings: disclosure) stating that the legislation requires body camera footage to be released within a specified time after the event occurs but allows withholding the release of the footage for ongoing investigations. He stated that the language requires you give an estimate as to when the investigation should be concluded.

Upon motion duly made by Director Sanders and seconded by Director Beintema to actively oppose AB 54 (Peace officers: video and audio recordings: disclosure).

Motion carries.

PAC Report

Upon motion duly made by Director McClain and seconded by Director Caughron to enter PAC at 12:48 PM. Motion carries.

Upon motion duly made by Treasurer Davis and seconded by Director Bolanos to exit PAC at 1:01 PM. Motion carries.

Upon motion duly made by Treasurer Davis and seconded by Director Bolanos to re-enter PAC at 1:18 PM. Motion carries.

Upon motion duly made by Director Donelan and seconded by Director Caughron to exit PAC at 1:38 PM. Motion carries.

Federal Legislative Update

Darryl Nirenberg, Steptoe & Johnson LLP, addressed the Committee. Mr. Nirenberg thanked PORAC for its hospitality and having him at the 2018 Annual Conference of Members.

He reported that the Federal Government is currently shut down entirely and many federal agencies are operating without funds because most of the appropriations bills that fund the DOJ and Department of Homeland Security have not been enacted by Congress. He stated that there has been a lot of discussion in the media about the shut down and the focus on The Wall being the cause. He stated it is not clear as to when the shutdown will end.

He reported that Congress has been very slow to organize. He stated that Congress started on January 3, 2019 and the Committee's have usually been selected and up and running by this time in prior years however that is not the case this year. He stated the House is very behind in assigning the Committee's. He reported that the only Committees assigned are the Ways and Means, Appropriations and Energy and Commerce. As a result, he stated that legislative activity will be somewhat delayed this year.

Mr. Nirenberg stated that beginning January 15, 2019 the Senate Judiciary Committee will begin its confirmation hearings for Attorney General nominee, William Barr. He stated that William Barr was the Attorney General under George H.W. Bush and during that time he racked up a strong law enforcement record.

He updated the Committee on the two PORAC bills that were signed into law before the end of last year including the Abolish Human Trafficking Act and Trafficking Victims Protection Act.

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Mr. Nirenberg stated that Senator Feinstein will remain the ranking member of the Senate Judiciary Committee. He reported that they have met with her staff and they have asked PORAC to look at the legislation they will be introducing within the first month to see if PORAC would like to support any of the legislation. Senator Lindsey Graham is the Republican Chairman who was previously the chairman of the Crime Subcommittee and tends to be strong on law and order but was one of the strong proponents of justice reform. Mr. Nirenberg stated PORAC has a strong relationship with his office.

He reported that the Chairman of the House Judiciary Committee will be Congressman Jarrod Nadler from New York and the ranking member will be Congressman Doug Collins from Georgia. He has met with the staff of the Committee to let them know Steptoe is still working with PORAC and our interest in continuing to work with them in the future.

Mr. Nirenberg stated the new chair of the Ways and Means Committee will be Congressman Richard Neal from Massachusetts. He is strong on pension reform. He also reported that Congressman Jimmy Panetta.

Mr. Nirenberg spoke about the legislative agenda for 2019 and the intent to focus on five issues: Criminal Justice Reform, Funding of Law Enforcement Programs, Use of Force, Pension and Labor Reform and matters brought to PORAC's attention by members of Conference. He also stated they will proceed with the legislator scorecard and it will be done on a quarterly basis. He confirmed that the DC fly-in will be March 25 – 27, 2019. He also stated they will be instituting monthly calls with Aaron Read and Associates to ensure everyone is on the same page. They will also be reaching out to NAPO, FOP, the sheriff's and the DA's to have a more formalized exchange of information between law enforcement groups in Washington, D.C.

Communications/PR Report

Communications & PR Manger, Chris Steele, thanked the Committee for their support in developing the PORAC Communications Department as well as Marketplace Communications for their work over the years. He referred to his written report included in the meeting packet. He discussed the vision for the Communications Department and where he would like to take PORAC's public relations and social media in the future.

Director Donelan spoke about the analytics related to the PORAC app and how few people use the app. He inquired as to what the cause may be for the low usage. Mr. Steele stated that he feels once PORAC gains followers through social media he feels the use of the PORAC app will increase. He stated that if PORAC does not see the number of users increase it may be something PORAC will need to revisit down the road.

Mr. Steele spoke about the new program he is testing to manage the various social media platforms PORAC has. He stated that he feels eClincher may be a good option as he feels the layout is user friendly and the pricing is less than the previous management tool used, Hootsuite.

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Mr. Steele introduce PORAC's newest employee, Kylie Fryar, Communications Coordinator. He stated that she comes from a family of law enforcement as her father is a retired law enforcement officer. Ms. Fryar thanked PORAC for having her join the team and said she is excited to hit the ground running and working towards getting PORAC's message out in the public.

IBT Report

Vice President Kurtz reported that their meeting on January 7th was changed to a teleconference as they were unable to obtain a quorum. He stated they continue to discuss the Anthem ASO plan. He also stated that Cal Fire has inquired about joining PORAC and the IBT health plan. He said the issue with Cal Fire relates to the significant amount of seasonal employee's they hire throughout the year and the issues that could cause the health plan. He stated they are working to find a resolution to the issue to allow Cal Fire to join.

RMT Report

Treasurer Davis reported that the RMT currently has \$40 million in reserves. He discussed an issue the RMT is having with the cities and counties that hold on to the funds collected versus submitting them timely to the RMT. He stated the RMT is working on the possibility of imposing a fee on the cities and/or counties that do not promptly remit the funds collected.

He also reported that RMT lowered the entry rate from \$100 to \$50 to help encourage groups to join the Trust. He stated that Salem PEU is the first out of state group that joined the Trust and they have seen an increasing interest from other groups in Oregon interested in joining as a result. He stated that the next RMT meeting is scheduled for February 22, 2019 in Los Angeles.

Training Report

Training Manager, Claude Alber, stated that the POST grant for the wellness program must reduce on duty shooting in order to qualify for the grant. He reported that the grant application is due by March 1, 2019 and POST will make its decision on April 15, 2019.

He reported that he is currently working on finalizing the dates for the LODD class. He with working with the instructor to figure out which dates work best but that it will most likely be held in September 2019. There was discussion regarding the media class offered in 2018 and the possibility of changing it from a 2-day class to a 1-day class for 2019. Direction was given to Mr. Alber to have Mike Parker, The Parker Group, teach a 1-day media class.

Mr. Alber reported that we will have Texas officer, Anne Marie Carrizales, teach the second day of Symposium this year. He stated that the first day will include the legislative recap, CalPERS update, an update on what occurred in Houston as well as a section taught by LDF Panel Attorney, Gary Messing.

Adjournment

There being no further business, the meeting was adjourned at 2:30 PM.



**PAC Meeting
PORAC Headquarters
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The PAC meeting was called to order by President Marvel at 12:48 PM.

Roll call was performed by Secretary Beintema.

Roll Call

Proxy

Brian Marvel	President
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Robert Bonsall, Corporate Counsel; Grant Ward, SEBA Director-At-Large; Kelly Martin, El Monte Police Jailers, SEIU Local 721; Aaron Read, Aaron Read & Associates; Randy Perry, Aaron Read & Associates; Michele Cervone, Aaron Read & Associates; Maria Jimenez, IBT Chief Operating Officer; Claude Alber, Training Manager; Chris Steele, PR/Communications Manager; Kim Busman, Chief Operating Officer, Manager/Recorder.

Approval of the Minutes

The minutes from the October 10, 2018 PAC meeting were reviewed.

Upon motion duly made by Director Beintema and seconded by Director Caughron to approve the minutes of the October 10, 2018 PAC meeting. Motion carries.
Abstain: Kurtz, Davis, Montana, and Beintema.

PAC Report

Randy Perry, Aaron Read & Associates, discussed PORAC's membership with the Alliance for a Better California.

Upon motion duly made by Director Beintema and seconded by Director Donelan to contribute to the Alliance for a Better California. Motion carries.

There was discussion regarding the Mod Dems.

Upon motion duly made by Director Beintema and seconded by Director Donelan to contribute to the Mod Dems. Motion carries.

There was discussion regarding PORAC's participation in the Speaker and Pro Tem cups each year.

Upon motion duly made by Director Donelan and seconded by Director Montana to contribute to the Speaker's Cup. Motion carries. No: Beintema

Upon motion duly made by Director Donelan and seconded by Director Montana to contribute to the Pro Tem Cup. Motion carries. No: Beintema

There was discussion regarding the PAC/PIC split. It was determined that no changes were necessary at this time.

The PAC meeting was recessed at 1:01 PM until 1:18 PM.

Director Donelan discussed new Assemblymember Buffy Wicks.

Upon motion duly made by Vice President Kurtz and seconded by Director Montana to contribute to Assemblymember Buffy Wicks, AD 15. Motion carries.

Director Montana spoke about working with the general counsel, Jennifer Carbuccia, for the Sweetwater Union High School District. He stated she has been a good friend in the past.

Upon motion duly made by Director Montana and seconded by Director Bolanos to send a letter of support for Jennifer Carbuccia for appointment to PERB pending the San Diego-Imperial Chapter's approval. Motion carries.

SPAC Chairman, PJ Webb, spoke about endorsing Graciela Ortiz for LA School Board.

Upon motion duly made by SPAC Chairman Webb and seconded by Director McClain to endorse and contribute to Graciela Ortiz for LA School Board. Motion carries.

Adjournment

There being no further business, the meeting was adjourned at 1:38 PM.