



**Executive Committee Meeting
DoubleTree Golf Resort
Cathedral City, CA
April 9, 2018**

The Executive Committee meeting was called to order by President Marvel at 8:28 AM. The Pledge of Allegiance was led by Treasurer Blanco. A moment of silence was observed the 23 officers killed in the line of duty nationwide, LDF Panel Attorney, Bill Rapoport and the men and women who serve in the military to protect our freedoms every day.

Roll call was performed by Secretary Morrissey.

Roll Call

Proxy

Brian Marvel	President
Brent Meyer	Vice President
Marcelo Blanco	Treasurer

Region I

Don Morriessy	Santa Clara Co DSA
Barry Donelan	Oakland POA

Region II

Randy Beintema	San Joaquin Co DSA
Jacky Parks	Fresno POA

Region III

Anthony Sanders	Ventura DSA
Marshall McClain	LA Airport POA

Region IV

Tony Bolanos	Ontario POA
Gary Moore	San Diego Co DSA

Others in Attendance

Robert Bonsall, Corporate Counsel; PJ Webb, SPAC Chairman; Bob Valladon, RAM Chairman; Tim Davis, Sacramento POA; Phil Jonas, SEBA; Mike Durant, Past President; Laren Leichliter, SEBA (Retired); Randy Perry, Aaron Read & Associates; Michele Cervone, Marketplace Communications; Damon Kurtz, I&B Trust Chairman; Maria Jimenez, I&B Trust Manager; Fred Rowbotham, LDF Chairman; Chris Coulter, LDF Trustee; Ed Fishman, Legal Defense Administer; Claude Alber, Labor Consultant; Kim Busman, Finance & Administrative Manager/Recorder.

Approval of the Minutes

The minutes from the February 12, 2018 Executive Committee meeting were reviewed.

Upon motion duly made by Treasurer Blanco and seconded by Vice President Meyer to approve the minutes of the February 12, 2018 Executive Committee meeting. Motion carries. Abstain: Parks, Bolanos.

Membership Report

Vice President Meyer presented the following applications for consideration by the Committee:

- San Leandro PMA – Regular application
- Visalia POA Teamsters 856 – Regular application
- San Joaquin Delta College PMA – Regular application
- Citrus Heights PMA – Regular application
- Citrus Heights Reserve POA – Reserve application
- Val Verde Unified School District POA – Regular application

Upon motion duly made by Vice President Meyer and seconded by Treasurer Blanco to approve the applications as presented. Motion carries.

IBT Report

I&B Chairman, Damon Kurtz, reported that the Trustee's will be meeting in the afternoon on April 9, 2018. He reported that they have hire a new employee, Kyle Hutchings, to be the Trust accountant. He also stated the new plan documents are available on the I&B Trust website as well.

Executive Session

Upon motion duly made by Director Beintema and seconded by Treasurer Blanco to go into Executive Session to include Corporate Counsel, Mike Durant, Past President, Tim Davis, Sacramento POA, Kim Busman, Finance & Administrative Manager at 8:35 AM. Motion carries.

Upon motion duly made by Director Sanders and seconded by Director Parks to exit Executive Session at 9:02 AM. Motion carries.

Presidents Report

President Marvel reported that he and Vice President Meyer recently met with 911Media to discuss updates to the PORAC Law Enforcement News. He stated they discussed ways to update the content as well as the format, to focus more on PORAC members including moving away from stock photo's and working towards incorporating more pictures of PORAC members. He also reported that they are planning to spotlight one PORAC Chapter a month as well as the PORAC Committee's to help inform members of what each Committee's function is.

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He stated that 911Media has prepared a survey that will be pushed out to the attendees at Symposium to get their feedback on what they would like to see in the magazine in the future.

President Marvel reported that he attended the RIPA Board meeting that took place in Compton recently. He stated that the RIPA Board seems to have moved away from working towards implementation guidelines and standardization the legislation to focusing more on complaints about law enforcement.

President Marvel stated that POST is currently working on changing the language and rules related to officers who have been deemed not eligible to work as a law enforcement officer in the state of California. He reported that POST is working to put the onus on the individual officer to show proof when they are eligible to work in California again versus POST's responsibility. He also reported that POST is working on modifying the POST reimbursement process to help spread the funds throughout California versus only going to a few large departments. POST has also requested Governor Brown make POST a funded entity in the future.

President Marvel reported that he and Vice President Marvel flew back to DC in March and met with 15 elected officials, as well as the Department of Justice. He stated that he felt the meetings were very productive.

He reported that he, Vice President Meyer and Finance & Administrative Manager, Kim Busman met recently to discuss re-evaluating PORAC staff job descriptions. He stated that the intent would be to incorporate any changes at the same time the I&B Trust Administrative Services Agreement is revised. He reported that the ad hoc Building Committee had a video conference call on Friday, April 6th to bring discussions about the PORAC Headquarters building. PORAC, as well as the I&B Trust, will be doing a needs assessment to better understand the current and projected future needs of each entity with regards to staff and meeting space to help determine the best action to take.

President Marvel reported that the CalPERS Board elections are coming up. He is working with Aaron Read & Associates to develop a questionnaire for candidates to complete and then routed to the Board of Directors for endorsement consideration. The candidates will also be invited to address the Board of Directors at the meeting on May 9th.

President Marvel stated that Governor Brown has reached out to PORAC to meet regarding our participation in the Keeping Californian Safe Act of 2018 initiative, introduced by Assemblymember Cooper and District Attorney Schubert.

Federal Legislative Update

Eva Rigamonti, Steptoe & Johnson, joined the meeting via video conference and referred to the written report provided to the Executive Committee. She discussed H.R. 5307, The School Training, Equipment and Protection Act of 2018, sponsored by Congressman Steve Knight. She stated the bill would give a \$50 million grant from the Department of Education for school safety equipment, active shooter training, etc. The following Federal Legislative recommendations were presented to the Executive Committee for consideration:

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- H.R. 5307 – The School Training, Equipment and Protection Act of 2018 – Support
- H.R. 5139 – Hire Our Heroes to Protect Our Schools Act of 2018 – Support
- H.R. 5060 – The Heroes Lesley Zerebny and Gilbert Vega First Responders Survivors Support Act of 2018 – Support
- H.R. 5135 – Securing Children in Schools Act – Support
- H.R. 5185 – Protect America’s Schools Act of 2018 – Neutral
- H.R. 3249 – Project Safe Neighborhoods Grant Program Authorization Act – Recommendation Pending

Upon motion by Vice President Meyer and seconded by Director McClain to accept Steptoe’s recommendations on Federal legislation. Motion carries.

Ms. Rigamonti discussed the May DC fly-in and stated they are working on setting up the various meetings as well as speaking points for the Directors while attending those meetings.

Director Beintema spoke about the issue concerning 100% disabled veterans and the fact that they lose their VA benefits if they obtain any sort of paid employment. He stated that from his experience, the majority of veterans would like to work when they come back. Director McClain stated he would like to see legislation that would help hire veterans to work as TSA agents.

Vice Presidents Report

Vice President Meyer reported that he will be attending the National Officer Safety Awareness Group meeting on April 16th. He also stated that he and President Marvel would be attending the Big 50 in Cambridge that same week. He spoke about the recent presentation made to the Yolo County Correctional Supervisors Association with Legal Defense Administrator, Ed Fishman. He thanked Director Pruger for putting him in touch with and arranging the meeting with Salinas and Director Barker for helping recruit Kingsburg.

Vice President Meyer discussed the Border Patrol Supervisors Association issue previously discussed. Director Moore reported that he reached out to the president of the association to inform him of the cost to maintain their regular, active membership in PORAC, but he had not heard back from him. Direction was given to send a letter to the Border Patrol Supervisors Association advising them of what their options are.

Vice President Meyer stated that delinquency lists had been distributed to the Region Directors. He also reported that PORAC has hired a new receptionist, Jacquelyn Blow, who started on March 19th. He recently reached out to the Tim Ross and Rich Tiran with regards to the transition of the Nevada associations. They let him know that they are working on their membership program and will keep PORAC updated as to the progress.

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Vice President Meyer discussed the direction he was given previously to begin auditing association rosters to ensure the correct members were being maintained. He stated that he has been working with Membership Services Representative, Angie Gonzales, to find an efficient and effective method to audit associations, however they have been unable to find a method that works. There was discussion regarding associations being allowed to carry retirees and civilians as active members on their rosters and the effect that may have on Director-At-Large seats on the Board. There are concerns related to having retired officers and civilians included as active regular members as PORAC's desire is to ensure that PORAC continues to have most of its members be active law enforcement officers.

President Marvel reported that he had been contacted by Kenneth Ehrman from California Statewide Law Enforcement Association about the possibility of joining PORAC. They currently have approximately 2,500 members that would qualify for membership. Vice President Meyer spoke out against allowing the group to join PORAC due to prior issues with the associations leadership in the past.

LDF Report

LDF Chairman, Fred Rowbotham, reported that the LDF Trustee's met on Sunday, April 8th. He updated the Executive Committee on some of the ongoing cases. He stated that LDF currently have 91 active, 9 of which are officers being charged with murder. He spoke about the gun enhancement issue as it relates to officers involved in on-duty shootings. He stated that the gun enhancement had been added to an officer who had accidentally shot a fellow officer when he was attempting to catch a gun that had been dropped, however the judge did not allow the gun enhancement to remain.

Chairman Rowbotham stated that LDF is currently in 47 states and four territories with 123,298 members within 1,271 associations. The current net assets of the LDF Trust are \$26.8 million as of March 31, 2018. He reported that LDF panel attorney, Corey Glave, would no longer be eligible to take new cases as of May 1, 2018. Chairman Rowbotham stated that he will continue to work the cases currently in progress.

Executive Session

Upon motion duly made by Director McClain and seconded by Treasurer Blanco to go into Executive Session to include Corporate Counsel, PJ Webb, SPAC Chairman, Phil Jonas, SEBA Secretary, Mike Durant, Past President and Kim Busman, Finance & Administrative Manager at 11 AM. Motion carries.

LDF Chairman, Fred Rowbotham, Legal Defense Administrator, Ed Fishman and Region III LDF Trustee, Chris Coulter were brought into the Executive Session at 11:23 AM.

Upon motion duly made by Director McClain and seconded by Treasurer Blanco to exit Executive Session at 11:50 AM. Motion carries.

PJ Webb, SPAC Chairman, left the meeting at 11:50 AM.

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Labor Consultants Report

Claude Alber, Labor Consultant, referred to his written report included in the meeting packet. He stated that the Networking for Professional Development reception would occur on Tuesday, April 10th from 4:30 PM to 6 PM. He stated that each registered attendee would receive two drink coupons for the event and there will be a variety of hors d'oeuvres served. He reported that 209 people registered to attend Symposium this year.

Mr. Alber stated that the new media class will be offered on July 23-24, 2018 at PORAC Headquarters. He stated that there is a maximum of 30 attendees allowed for the class. He stated that the contract with Russell Ruffin Seminars cost PORAC \$4,500 but that includes all printed materials, travel and lodging for the instructors. He also reported that the Line of Duty classes had been arranged as well and he is currently working to obtain POST certification for the class. He reported that the 2019 Symposium would be held in Monterey, CA at the Marriott.

Executive Session

Upon motion duly made by Director Sanders and seconded by Treasurer Blanco to go into Executive Session to include Corporate Counsel, PJ Webb, SPAC Chairman, Phil Jonas, SEBA Secretary, Mike Durant, Past President and Kim Busman, Finance & Administrative Manager at 12:30 PM. Motion carries.

Upon motion duly made by Director McClain and seconded by Treasurer Blanco to exit Executive Session at 12:41 PM. Motion carries.

Scholarship Report

Director Beintema stated that the Scholarship Committee have received the submitted applications and are currently in the process of reviewing them. The Committee will be meeting on Monday, May 7th in Sacramento and the recipients would be declared at the May 9th Board of Directors meeting.

RAM Report

RAM Chairman, Bob Valladon, reported that the RAM Committee recently received an email from an upset RAM member due to PORAC's endorsement in the Governor's race. He stated that the member had subsequently terminated his RAM membership. As a result, the RAM Committee was interested in establishing rules for members rejoining in these types of scenarios. He stated that the Committee will discuss the options and he will report back to the Board of Directors what guidelines they would like to see established.

Treasurer's Report

Treasurer Blanco reviewed the financials dated February 28, 2018 included in the meeting packet. He reported that the Budget Committee met on April 8th to brainstorm funding areas for the 2019 budget as well as discuss the options discussed by the Building Committee on April 6th. There was discussion regarding how to proceed with the building.

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President Marvel stated that he feels it would be best for both IBT and PORAC to complete the needs assessment prior to making any decisions on how to proceed with the building renovations so that we have a better idea of what is needed in the future. Treasurer Blanco stated that the Budget Committee would be meeting again on June 10th to develop the proposed 2019 budget.

President Marvel discussed the idea of developing a reserve policy for PORAC and setting the overall financial goals for PORAC.

Legislative Report

Randy Perry, Aaron Read & Associates, referred to the legislative packet emailed to the Executive Committee. He discussed the various legislation that had been added since the Executive Committee last met in February. Director Donelan asked Mr. Perry to update the Executive Committee on AB 1116 (Peer Support and Crisis Referral Services Act). Mr. Perry stated that they were unable to get the votes needed to move the legislation along in the process. Mr. Perry discussed AB 2327, Peace Officers: misconduct: employment, stating that the legislation stipulates that any adverse actions taken be included in the officers personnel file and the personnel file will be available to outside agencies the officer applies for employment with. Legal Defense Administrator, Ed Fishman, stated that he does not understand the necessity of the legislation when the current process is working.

President Marvel discussed AB 3131 (Law enforcement agencies: military equipment: funding, acquisition, and use) and stated that the author has stated that she is amenable to amendments. The following legislative bill recommendations were presented by Aaron Read & Associates:

- **AB 931** – Lethal Force – Active Oppose
- **AB 1126** – Peer Support and Crisis Referral Services Act – change from Active Support to Support
- **AB 1795** – Emergency medical services: behavioral health facilities and sobering centers – Active Support
- **AB 1795** - Emergency medical services: behavioral health facilities and sobering centers – Active Support
- **AB 2067** - School safety: armed school resource officers – Active Support or Sponsor
- **AB 2327** - Peace officers: misconduct: employment – For Discussion
- **AB 2577** - Personal income taxes: deductions: labor organization dues – Active Support
- **AB 2823** - Violent Felonies – Active Support
- **AB 2778** - Public Safety Officers Procedural Bill of Rights Act: discipline – Active Support
- **AB 2972** - Vehicles: enforcement: motorcycle profiling. – Oppose and Discussion
- **AB 3131** - Law enforcement agencies: military equipment: funding, acquisition, and use – Active Oppose
- **SB 1086** - Workers' compensation: firefighters and peace officers – Co-Sponsor
- **SB 1124** - Public Employees' Retirement System: collective bargaining agreements: disallowed compensation – Active Support
- **SB 1149** - Public employees' retirement: defined contribution program – Active Oppose
- **SB 1186** - Law enforcement agencies: surveillance: policies – Active Oppose

- **SB 1392** - Removes 1-year sentence enhancement for each prior felony - Active Oppose
- **SB 1393** - Judicial discretion over 5-year enhancement for serious felonies – Active Oppose
- **SB 1421** - Release of Records – Active Oppose

Upon motion duly made by Treasurer Blanco and seconded by Director McClain to accept the recommendations provided by Aaron Read & Associates except for AB 2327. Motion carries.

Mr. Perry stated that they have not yet seen the language for AB 931, police lethal force legislation presented by Assemblymembers McCarty and Weber.

Legal Defense Administrator, Ed Fishman, discussed SB 1421 (Peace officer records) and stated that it is a reintroduction of SB 1286. The legislation deals with the confidentiality of law enforcement officers personnel files. Mr. Fishman stated the current legislation is a paired down, more sensible, version of the former SB 1286 legislation. He said the bill is commonly referred to as “The Right to Know” bill. He also stated that the ACLU plans to bring forward an initiative if the bill does not make it through the legislature which Aaron Read & Associates feel that the likelihood of such an initiative passing would be highly likely. Mr. Fishman assembled a group of LDF panel attorneys to meet and discuss the legislation and come up with an approach as to how PORAC should handle its position on the legislation. Collectively, Mr. Fishman stated that the panel attorney’s felt the best approach would be to compromise.

Mr. Fishman stated that the panel attorney’s felt there were four key areas that needed improvement: clarify and increase the standard of proof, increase the quality of evidence that must be relied upon, standardize the qualifications of hearing offices and impose a statewide, uniform, truly fair level of due process such as binding arbitration. He stated that findings would be sustained after the full administrative appeals process if they were found to include: intentional job-related dishonesty, sexual assault, and/or discrimination in police interactions with the public based on race, ethnicity and gender. He stated the information would only be released if a public records act request was made. He also stated the full due process would only apply to members who are full dues paying members of the bargaining unit. Direction was given to Aaron Read & Associates to move forward with the panel attorney’s suggestions.

Director Beintema discussed the most recent school shooting in Parkland, FL and the issue of teachers not having a way to lock their classroom doors from the inside or view who is at the door. He stated that schools are unable to get the funding they need to retrofit the doors to allow this. He feels that making those simple changes would be a step in the right direction to protecting students in an on campus active shooter situation.

PAC Meeting

Upon motion duly made by Director Morrissey and seconded by Treasurer Blanco to go into PAC at 2:10 PM. Motion carries.

Approval of the Minutes

The minutes from the February 12, 2018 PAC meeting were reviewed.

Upon motion duly made by Treasurer Blanco and seconded by Director Sanders to approve the minutes of the February 12, 2018 PAC meeting. Motion carries.

Abstain: Bolanos, Parks.

PAC Report

Randy Perry, Aaron Read & Associates, reported that special elections had been held. He discussed the Attorney General's race and if the Board wished to have the candidates come to the May Board of Directors Meeting.

Upon motion duly made by Director Beintema and seconded by Director Morrissey for PORAC to not make any endorsement in the primary Attorney General's race.

Motion carries. Opposed: Donelan, Meyer

Mr. Perry discussed the Tax Fairness, Transparency and Accountability Act of 2018. He stated that the initiative would require a 2/3rds vote for all local elections that would impose tax changes and would be retro-active to any measures voted on or after January 1, 2018.

Upon motion duly made by Director Donelan and seconded by Director Parks to oppose the Tax Fairness, Transparency and Accountability Act of 2018. Motion carries.

Directors McClain and Sanders were not present for the above vote.

Mr. Perry discussed the Reducing Crime and Keeping California Safe Act of 2018. He reported that PORAC recently met with Governor Brown to discuss the initiative and possible alternatives. He discussed that language that was going to be proposed to Governor Brown. The language includes six items, which they would require Governor Brown to agree to all six for PORAC change its position on the initiative.

Upon motion duly made by Treasurer Blanco and seconded by Director Beintema to approve the suggested language proposed by Aaron Read & Associates to take to Governor Brown. Motion carries. Opposed: Meyer

Endorsements

Upon motion duly made by Treasurer Blanco and seconded by Director Bolanos for a pocket endorsement for James Ramos for AD40. Motion carries.

Upon motion duly made by Director Bolanos and seconded by Director Morrissey to exit PAC at 2:56 PM. Motion carries.

POREF Meeting

Upon motion duly made by Treasurer Blanco and seconded by Director Bolanos to go into POREF at 2:56 PM. Motion carries.

Adjournment

There being no further business, the meeting was adjourned at 3:06 PM.

DRAFT