



P.O.R.A.C.
Peace Officers Research Association of California
SAN DIEGO & IMPERIAL COUNTIES CHAPTER

SUMMARY OF MEETING

DATE: June 10, 2020

IN ATTENDANCE

Regular Associations

Brawley PMA	MiraCosta College POA
Brawley Police Sgts. Assn.	National City POA
Brawley PSA	Oceanside POA
Calexico POA	Palomar College POA
Calipatria POA	RAM: <i>James Mac Donald, Tom Simonds, Randy Dibb, Martin Morabe, Arnie Page</i>
Carlsbad PMA	SD CO DSA: <i>Dawn Morabe</i>
Carlsbad POA	SD Community College POA
Chula Vista POA: <i>Fred Rowbotham (via ZOOM)</i>	SD County DAI Assn.: <i>Bryan Zmijewski</i>
Coronado POA	SD County Probation Officers Assn.
El Cajon POA	SD County Public Assistance
El Centro POA	Investigators Assn.: <i>Danielle Ferrara</i>
El Centro Sgts. Assn.	SD Harbor POA: <i>Jon Taylor, Eric Willms</i>
Escondido POA	SD POA: <i>Jack Schaefer, Brian Avera</i>
Imperial County District Atty Invest Assn.	SD Schools PMA: <i>Jesus Montana</i>
Imperial County DSA: <i>Emmet Fried (via ZOOM)</i>	SD Schools POA: <i>Jay Gresham (via ZOOM)</i>
Imperial County Public Safety Mngr Assn.	Southwestern Community College POA
Imperial POA	UCSD POA
La Mesa POA	Westmorland POA

Limited Associations

Border Patrol Supervisors Assn	SD County DDA Assn.: <i>Bryn Kirvin (via ZOOM)</i>
Brawley FFA	Transit Enforcement Officers
Peace Officers of CA (DMV Investigators)	

Reserve Associations

Carlsbad RPOA	National City PRA
Chula Vista PRA	SD County DA Reserve Investigators:
Coronado PRA	<i>Bryan Zmijewski</i>
Escondido PRA	SD RPOA
La Mesa Reserves POA	

CHAPTER WEBSITE

[poracsandiego-imperialcountieschapter.org](https://www.facebook.com/SDImperialCountyChapterPORAC/)
<https://www.facebook.com/SDImperialCountyChapterPORAC/>
[Minutes were motioned, seconded, and passed at the July 8, 2020 meeting]

Attorneys

Brad Fields, Rick Pinckard (Bobbitt, Pinckard & Fields APC); *David Dugan* (via ZOOM) (Dugan & Rader); *Jason Ewert* (Mastagni, Holstedt APC)

PORAC Endorsed Providers

Jamie Amstutz (AFLAC); Inez Morales (via ZOOM) (California Casualty); Eric Swartz (Myers-Stevens & Toohey)

Supporters

Curt Conkling (Nationwide Mortgage)

Guests

(None)

CALL TO ORDER

The monthly meeting of the San Diego and Imperial County Chapter of PORAC was called to order by President Bryan Zmijewski on Wednesday, June 10, 2020, at 1805 hours at the San Diego POA Office.

The Pledge of Allegiance was led by Danielle Ferrara.

A moment of silence was held for the ten law enforcement officers, including El Centro Officer Efren Coronel [E.O.W.: 6-3-20] and Santa Cruz Sheriff Sgt. Damon Gutzwiller [E.O.W.: 6-10-20], who died in the line of duty since the May 20, 2020 chapter meeting.

EXECUTIVE BOARD ROLL CALL

Roll call was performed by Secretary Mac Donald. All members were present with the exception of VP Fried.

INTRODUCTIONS

Everyone introduced themselves and the association/organizations that they represented.

PRESENTATIONS

(None)

APPROVAL OF MINUTES

Secretary Mac Donald reported that the minutes of the March 11, 2020 meeting that had been approved at the May 20 chapter meeting was not done correctly. The motion was invalid because it was made by a person who did not attend the March meeting.

Jon Taylor made a motion to accept the minutes of the March 11, 2020 chapter meeting as distributed by e-mail. The motion was seconded by Jack Schaefer and was passed.

Jay Gresham made a motion to accept the minutes of the May 20, 2020 chapter meeting as distributed by e-mail. The motion was seconded by Jon Taylor and was passed.
[ABSTENTIONS: Chula Vista POA]

COMMITTEE REPORTS

FINANCE – Page

He provided copies of the May 2020 CAHP statement and transaction list, and the January-May 2020 profit and loss report. All accounts are current.
Contact him for any further information.

MEMORIAL – Simonds

There was nothing new to report.

TECHNOLOGY – Simonds

There was nothing new to report.

MEMBERSHIP – Ferrara

There was nothing new to report.

SPECIAL EVENTS - Susi

There was no report due to his absence from the meeting.

BYLAWS – Mac Donald

He identified the members of the committee as Jesus Montana, Dawn and Martin Morabe, President Zmijewski (ex-officio), and himself.

They researched both the bylaws of PORAC and the chapter as it related to RAM being eligible to vote at the chapter level. The PORAC bylaws state that only “Active Members” may vote other than at the Conference of Members. Members of RAM are not Active Members. There is a provision that allows for “Independent and autonomous rules for voting on purely local internal Chapter issues may be established by Chapter Bylaws.” [Article X, Section 8] Chapter bylaws currently does not contain such rules. Therefore, members of RAM may also not make, nor second motions at chapter meetings.

The committee will develop an amendment to the chapter bylaws that will provide the ability for RAM voting, making motions, and participating in other chapter business in accordance with current PORAC bylaws.

The proposed bylaw amendment that would bring the chapter in conformity with PORAC Bylaws regarding voting (Article X, Section 5) was read aloud again by him. Discussion followed.

Jack Schaefer made a motion to adopt the proposed chapter bylaw amendment (Article VI, Section 3). The motion was seconded by Jon Taylor and passed.

DISABILITY, LIFE & AD&D PROVIDERS

AFLAC

She reported that she has been working with PORAC's AFLAC program for ten years. When permitted by departments she looks forward to attending trainings and briefings to describe the differences between the PORAC AFLAC plans and those offered by cities and counties.

California Casualty

Insurance agencies are considered essential services and, as such, they are fully capable to assist anyone with questions, claims, concerns, and more.

Myers-Stevens & Toohy

Due to the Coronavirus pandemic many surgeries for worker compensation clients are being postponed. The time frame for claims, treatments, and services are expiring before these are actually being completed.

He also reported that more claims have been disputed, highlighting the necessity to make claims in as timely a manner as possible.

Anyone with questions should contact him.

[Emmet Fried joined the meeting via ZOOM.]

RETIRED ASSOCIATE MEMBER – Simonds

There are currently 8,599 members of which 4,621 subscribe to LDF Plan V.

There was discussion as to whether the LDF plan would provide coverage in the discharge of any firearm. LDF Trustee Fred Rowbotham stated that the plan only covers concealable weapons, not shotguns and rifles.

PORAC

Insurance & Benefit Trust (PORAC I&BT) – Rea

There was no report due to his absence from the meeting.

CHAPTER DIRECTOR – Montana

He deferred to PORAC Executive Committee Member Brian Avera.

Avera thanked those agencies that assisted SDPD with the protests and civil unrest that recently occurred.

POLITICAL UPDATE

PAC – Zmijewski

President Zmijewski provided copies of the current PAC/PIC Funds available to the chapter.

Discussion was held on the possibility of a reduction in requests for political endorsements due to the potential negative result of being supported by law enforcement.

Brian Avera reported that the PORAC Executive Committee is discussing sending a small group to Washington, D.C. in the fall.

He also reported that SD Councilman Chris Ward (District 3) voted to take money from the SDPD budget.

Avera reported that at the March 2019 chapter meeting the chapter voted to recommend to the PORAC State Office to endorse Ward for the California Assembly (AD 78). Shortly thereafter Ward voted in favor of Assemblywoman Weber's (AD 79) legislation (AB392) restricting law enforcement's use of deadly force options, then joined with other county democrats in signing negative letters of other elected legislators. At the June 2019 chapter meeting the chapter voted to withdraw the endorsement.

LEGISLATION – Montana/Avera

Brian Avera reported that there is legislation being proposed by State Assemblywomen Lorena Gonzalez (AD 80) and Shirley Weber (AD 79) which would prohibit the use of rubber bullets and other less-lethal options by law enforcement.

He also summarized AB 2655 (Gipson AD-64). The bill would make it a misdemeanor for a first responder to take a photograph or video of a deceased person for other than official purposes. This bill is in response to images of the helicopter crash site where former NBA player Kobe Bryant was killed.

LEGAL

LDF – Rowbotham

He reported that the administrative offices continue to be available to those requiring service.

He also reported that after a not guilty verdict in use of force cases that FBI agents have quickly moved in to investigate the defendant law enforcement personnel.

President Zmijewski stressed that law enforcement personnel not use their personal phones or cameras for ANY department related purposes. Doing so may open up access through legal process exposing personal information.

LEGAL UPDATES – Pinckard/Fields; Mastagni, Holstedt; Adams, Ferrone & Ferrone
Rick Pinckard reported that with qualified immunity and agency indemnification under attack currently a possible result would be that law enforcement personnel would require liability insurance in case of negative legal judgements issued.

WORKERS' COMPENSATION - Dugan

There was nothing new to report.

LOCAL SUPPORTERS

Cross Country Mortgage – Conklin

He reported that despite news to the contrary home property values are not decreasing.

CHAPTER INTEREST

President Zmijewski reported that the Chapter Executive Committee was polled and voted to provide for an immediate distribution of \$1000 to the immediate family member of El Centro PD Officer Efren Coronel, per chapter bylaws Article VII (Line of Duty Death). He has not been able to contact a family member to make the disbursement. Jason Ewert stated that he would contact the department to ascertain to whom and how to provide the funds.

OLD BUSINESS

There was nothing new to report.

NEW BUSINESS

There was nothing new to report.

GOOD OF THE CHAPTER

Discussion was held regarding a recent press release by the NYPD Detectives union reporting that they will sue protesters who attack police officers.

It was agreed that public relations are vital in maintaining support for law enforcement as are discussions with department administration.

Fred Rowbotham reported that the SD County Chiefs of Police are developing a county-wide de-escalation policy which will be released to the news media soon. There did not appear to be any consultation with law enforcement associations during the development of the policy. The positive impact of developing and announcing a policy with both administration and association representatives present was seen by those at the chapter meeting to be important.

It was agreed that President Zmijewski will submit an op-ed article to the SD Union-Tribune regarding the current apparent conflicts between law enforcement and the public.

President Zmijewski announced that the next chapter meeting will be held on Wednesday, July 8, 2020, at 1800 hours. The meeting will be held at SDPOA Office in San Diego.

ADJOURNMENT

Without objection President Zmijewski adjourned the meeting at 1928 hours.