

All Points



BULLETIN

Celebrating 81 years of serving those who serve others



Deputy Darnell Calhoun
EOW: 01/13/2023



In Remembrance



Motor Deputy
Isaiah Cordero
EOW: 12/29/2022

INSIDE

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Editorial comments, advertising information, or subscription requests can be sent to our office, listed above, or call us at (951) 653-5152.

Schedule of 2024 RSA Board Meetings

General meetings are held on a monthly basis (except December and January). Regularly scheduled general meetings are on the second Wednesday of each month. The annual meeting of the association is held in January of each year. For more information, check the website at www.rcdsa.org.

Important Benefits Notice!!

- Benefit designations for life insurance are important. Please review them frequently.
- Be sure to enroll a newborn with the Trust within 30 days of birth. Contact the Benefits Office at (951) 653-8014.
- If you marry or enter a domestic partnership, contact the Benefits Office at (951) 653-8014 within 30 days of marriage or entering the partnership.
- If you divorce or terminate a domestic partnership, contact the Benefits Office at (951) 653-8014 within 30 days of divorce or termination.
- If you become a legal guardian, adopt a child, or become legally separated, contact the Benefits Office at (951) 653-8014 within 30 days of the event.
- To ensure coverage, please respect these deadlines. Remember that the department does not notify the Benefit Trust of these changes.
- Please notify the Benefits Office of any changes in your address.
- Please provide dependent substantiation documents to the Benefits Office when requested to avoid cancellation of your dependent's coverage.

24-Hour Emergency LEGAL DEFENSE

For 24-Hour Emergency
Legal Defense call
(800) 877-7317

RIVERSIDE SHERIFFS' ASSOCIATION
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twitter.com/RSA1943

[instagram.com/RSA1943](https://www.instagram.com/RSA1943)



ON THE COVER

In memory of Deputy Darnell Calhoun (EOW Jan. 13, 2023) and Motor Deputy Isaiah Cordero (EOW Dec. 29, 2022).

RSA Legal Defense Alert!!

Always consult with an association representative/lawyer before responding to any report, letter, memo and/or questions concerning an investigation that could possibly lead to punitive action. If ordered to do so, ask to have it recorded and read the following: Non-waiver statement:

"I have been refused the right to have a representative of my choice. I understand that I am being ordered to make a report or answer questions and that, if I do not comply with the order, I may be disciplined for insubordination.

Therefore, I have no alternative but to abide by the order. However, by so doing, I do not waive my constitutional rights to remain silent under the 5th and 14th amendments to the United States Constitution and under the protections afforded me under state law."

RSA Affiliations

- Southern California Alliance of Law Enforcement (SCALE)
- California Coalition of Law Enforcement Associations (CCLEA)
- Public Employee Staff Organization (PESO)
- Riverside County Peace Officers' Memorial Foundation (RCPOMF)
- California Peace Officers' Memorial Foundation (CPOMF)
- Riverside County Deputy Sheriff Relief Foundation (RCDSRF)
- RSA Legal Defense Trust (LDT)
- Concerns of Police Survivors (C.O.P.S.)

2023, A YEAR OF TRAGIC LOSS AND MEMBER SUPPORT

By **Bill Young**
RSA President



Hello everyone from RSA, I hope this message finds you and your family well. This message will serve as my January President's Message and RSA's 2024 Annual Report as required by our Bylaws (RSA Bylaws Section 5.05 Duties of the President, sub-section I). During the calendar year of 2023, RSA staff were super busy serving our members and their families.

TRAGIC LOSS & VIOLENCE

As everyone is aware, we as a Department and Association experienced the tragic loss of two of our members back-to-back. RSA staff jumped into action immediately and started supporting the families of our fallen, Deputy Isaiah Cordero and Deputy Darnell Calhoun, who were murdered in the line of duty. Just as the Department, membership, and RSA Staff started to be able to deal with the loss of these two heroes, we got the tragic news that Deputy Brett Harris had died in the line of duty after suffering major injuries from an on-duty traffic collision.

The craziness did not stop there when a member of the public we serve decided to try and kill another one of our Deputies, Deputy Memosh Ahmed, by shooting and critically wounding him. Luckily Deputy Ahmed had an incredible will to survive and was able to direct arriving Deputies and emergency personnel

"The support of the families mentioned above could not have been provided at the level of support that was given without the assistance of the Riverside County Deputy Sheriff Relief Foundation."

on what they needed to do to treat his injuries properly. As Deputy Ahmed progressed through his treatment, RSA Staff continued to support his family.

SUPPORT

The support of the families mentioned above could not have been provided at the level of support that was given without the assistance of the Riverside County Deputy Sheriff Relief Foundation. These examples should remind everyone why it's important to donate to the Relief Foundation via bi-weekly payroll deductions. If you can find it within your means to start, or up your current donation to the Relief Foundation, please call the RSA Office, at (951) 653-5152, and staff can help make the arrangements.

SERVING THE MEMBERSHIP

While dealing with the above-mentioned critical incidents, RSA continued to serve the entire membership. Here is a small list of some of the major accomplishments of RSA during 2023 in support of our mission to "Serve those who Serve."

- Launched a Member Engagement App.
- Increased Social Media engagement by 10 times.
- More than doubled the number of member appreciation, and Smokehouse feeds and events.
- Opened and paid off the RSA Desert Office full-time with an assigned Labor Representative and Benefits Representative.
- Held another successful RSA Member Awards Banquet.



Continued

- Launched the Workers' Compensation/Wellness Program.
- Enrolled our first outside association, the Val Verde School Police Officers' Association, into our Association and Legal Defense Trust.
- Successfully moved our Benefit Trust to a new brokerage firm.
- Implemented CalPERS Direct Pay for our retired members.
- Supported our six Baker to Vegas Teams with a starting line breakfast and RSA post-race banquet.
- Established one of the largest FOP Lodges in the United States, Riverside County Lodge 951.
- Created and filled a new PAC Government Affairs Manager position.
- Increased our PAC Fund balance to remain a key political force in Riverside County and the State.
- On-boarded over 200 new members to the Association, Legal Defense Trust, and Benefit Trust.

- Honored our 2023 fallen deputies and their surviving families, Correctional Lt. Taylor and Deputy Cordero, at the State and National Memorials.
- Supported, and continue to support the families and stations of our fallen Deputies.
- Absorbed medical rate increases for our Regular Members, meaning no rate increases in your medical.
- Offered 3-D body scans and a greatly reduced rate for our members. This led to the discovery of multiple issues that could have been life-threatening had they gone undiscovered or untreated.
- Invested in our members' retirement medical by setting up an increase in the RSA Benefit Trust monthly VEBA payment. The RSA Benefit Trust monthly payment will increase from 80 dollars a month to 200 dollars a month. This should start sometime in the first quarter of 2024.
- Added Riverside County Welfare Fraud Investigators to RSA as Regular Members.
- Secured market adjustments, new money, for our

Correctional Deputies and Probation Officers.

- Continued to address unsettled MOU language for our PSU Unit, while working towards our first actual MOU in years.

These are just some of the major things RSA, at the direction of your Board of Directors, was able to accomplish. 2024 looks to be just as busy as 2023. The most pressing issue will be negotiating new contracts for our Law Enforcement and Corrections Bargaining Units while continuing to fix the problems within our Public Safety Unit MOU. RSA also looks forward to continuing to grow our footprint Nationally while maintaining a strong presence in the State of California.

RSA is also committed to serving our members on a day-to-day basis. If you need something, please reach out and we will make every effort to support your needs. Lastly, please reach out to RSA Staff and increase or start donating to the Riverside County Deputy Sheriff Relief Foundation.

Stay safe out there and help ensure you and your partners go home safe. ★

*Bill Young, President
Riverside Sheriffs' Association
California FOP Lodge 951*

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FN Unlimited

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FN Unlimited

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\$250 Port In Credit (NEW)

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Free Apple Watch SE (New)

- FirstNet Subscriber Paid customers can receive a free Apple Watch SE with new activation on Installment (SP). All existing Apple Watch models will be eligible, with a max credit amount of \$329.99. The device must be activated with an eligible FirstNet plan.

Scan this QR code to sign up on your personal device for the nation's only network dedicated for First Responders, or contact:

Manny Hernandez
FirstNet Subscriber Paid Consultant
619.646.7152 or mh729x@afl.com

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ATTENTION!

Our new members only communication platform is here! A platform & app. where you can more easily access information pertaining to the association, it's simple to use, receive immediate updates, and it's user-friendly.

The email to sign up is from NEP. If you didn't receive an email or have any questions or issues registering please reach out to kathy@rcdsa.org or emily@rcdsa.org.

NEP. *Connect*



Riverside Sheriffs' Association
[CHANGE DASHBOARD](#)

NAVIGATION



Dashboard

Members

Communications

Discussions

Documents

Communications

LATEST DRAFTS SCHEDULED ARCHIVED

PUBLIC BLOG POST | POSTED 03/03/2023 | [REDACTED] | CATEGORIES: PUBLIC NEWS, [REDACTED]


Welcome
RSA MEMBERS

[WELCOME RSA MEMBERS](#)

We are excited to have you on our new communication platform! We will be sharing all things RSA on here such as upcoming events and more!

[Read More](#)

PRIVATE BLOG POST | POSTED 11/09/2022 | [REDACTED] | CATEGORY: PUBLIC NEWS


Welcome
BOARD OF DIRECTORS

[Welcome Board of Directors to NEP Connect!](#)

On November 8th an email was sent out to the Board of Directors to download the new NEP Connect platform/app. Tomorrow during the board meeting we will give a short presentation to go over this new platform and



Chapter 13: Retirees



Lester Harvey

Chapter 13 Director, Retirees

Greetings retirees and Happy New Year. The bi-annual Concealed Carry Weapon (CCW) HR-218 retiree range qualification course will be hosted at the Ben Clark Training Center (BCTC) on Tuesday, March 5, 2024. The range hours for that day will be 10:00 A.M. until 2:00 P.M. The purpose of this event is to provide an opportunity for the retired members to possess and maintain their “CCW” and “HR-218” qualified credentials. This credential allows a retiree to lawfully and legally carry concealed firearms within the state of California, and nation-wide [as governed by the HR-218 standards]. If you are interested in establishing or maintaining your HR-218 CCW permit status, we look forward to facilitating your certification at the next retiree qualification course. Please contact the RSA office to reserve your attendance by February 23, 2024.

Continue to enjoy retirement after a fulfilling career of service to your community, and best wishes for health and happiness.

Best Regards ★

Chapter 19: PSU



Charles Roberts

Chapter 19 Director, PSU

I hope you all had a wonderful holiday season and happy new year. Your PSU negotiations bargaining team lost some members due to retirements and we are seeking volunteers to fill the vacancies. A few current site reps have already volunteered to fill the spots but the team has decided to open it up to all active PSU members in good standing. The hope is, this will broaden the pool of candidates to choose from, bring in a fresh ideas, and encourage some who have not yet volunteered to consider doing so. If you are interested in being on the PSU negotiating team, please put your name in the hat. An email blast should be coming soon explaining how to request consideration (if it isn't out already). If you already asked for consideration, you are still in the running; but you may want to update your request. We expect to go back to the bargaining table at the end of this year or the beginning of next year. Feel free to contact me for more information or contact RSA directly.

Also, please consider donating to the Sheriff's (11-99) Relief Foundation. It is a stand-alone non-profit trust started by RSA to assist members in need. The foundation has been instrumental in helping members and their families through illnesses and tragic deaths, etc. You don't have to donate a lot, even small amounts add up and help. It can be deducted straight from your paycheck to keep it simple/easy. Donation forms can be found on the RSA webpage or I can email you a copy. If you literally have no money to spare, consider donating some time as a site rep or volunteer with the RSA BBQ trailer.

Thank you all for your dedication, service, and support. I hope you all have happy holidays in the coming months.

Stay safe at work and home. ★

WE PROTECT & SERVE YOU

EVERY
STEP OF
THE WAY

Programs exclusively for sworn & non-sworn law enforcement personnel

GUARDIAN CHECKING: FREE removal of personal information from the Internet for LEOs and their immediate household family members or ID-theft monitoring for non-sworn

FIREARMS & EQUIPMENT LOAN: Gear up affordably, with loans starting at 5.00% fixed APR

END OF WATCH DEBT PROTECTION: Cancels up to \$850,000 of debt at no cost if you pass away in the line of duty

FIVE-O FUNDS LOAN: New hires: Borrow up to \$5,000 with low monthly payments

HEROES HOME LOAN: No down payment, no expensive private mortgage insurance, 30- or 40-year fixed rate

TRUST & WILL ESTATE PLANNING: Member-only discounts help you save big while protecting and providing for loved ones

DOES YOUR BANK DO THAT?

Join the credit union built by law enforcement, for law enforcement.

Ask us about sponsorships for your B2V team!



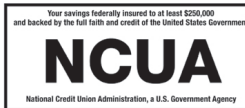
Contact Karla: krodriguez@lapfcu.org | (818) 464-0113

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Tee up for Charity

Tournament Details:

Date: **March 15, 2024**

Registration at **7:00 am**

Shotgun Start at **8:00 am**

Location: **Eagle Glen Golf Club**

Format: Four-person
scramble

\$900 a foursome

Registration:

To register for the tournament. Please visit RCDSA Charity Golf Sponsorships 2024 (redpodium.com)

We encourage you to register early to secure your spot.

www.rcdsa.org



MARCH 15, 2024

GOLF TOURNAMENT

ALL PROCEEDS BENEFIT THE
RIVERSIDE COUNTY DEPUTY SHERIFF
RELIEF FOUNDATION

For more information,
please contact:
Marlyn Kerbs
(951) 653-5152
(e) marlyn@rcdsa.org





The RSA Benefit Trust Partners with

Body Scan International

RSA has partnered with Body Scan International to bring you ONSITE body scanning right on location at the RSA West offices!

Beginning now, you and your enrolled spouse can schedule a full body scan* at your convenience. The BSI Body Scan Program screens for diseases of greatest concern to the public safety sector – heart/cardiovascular disease, lower back and neck pathologies, over 20 different types of cancer, chronic lung disease, and many others.

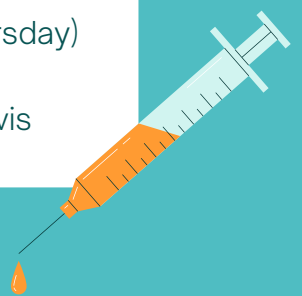
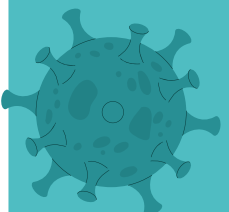
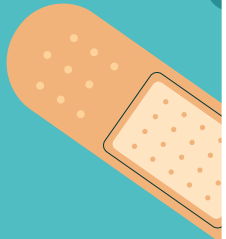
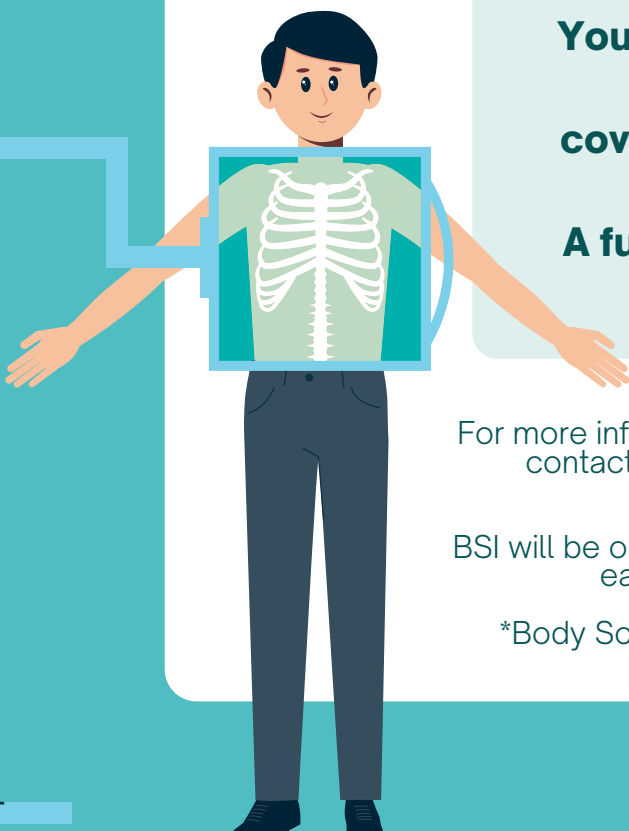
Using state-of-the-art mobile CT technology, you will receive a full 3-D visualization inside your body followed by a complete physician consultation. This is a non-invasive exam that provides a comprehensive, confidential look inside your torso to early-detect, or rule-out, “silent” lesions and anomalies.

The RSA board has negotiated a favorable rate for RSA members. You and your enrolled spouse are each eligible for one fully-covered Body Scan every 2 years for \$140 copay. A full scan normally costs \$1,995!

For more information, or to schedule your appointment, contact BSI directly at 877-274-5577 or go to healthview.com

BSI will be onsite at RSA one week (Monday – Thursday) each month from November to May

*Body Scan covers the region from neck to pelvis



In Remembrance

EOW 01/05/1997

Deputy James W. Lehmann, Jr Deputy Michael P. Haugen



On January 5th, 1997 Deputies Michael Haugen & James W. Lehmann, Jr responded to a domestic violence call in the early morning hours. They were gunned down by a suspect lying in wait and made the ultimate sacrifice and gave their lives. Twenty-seven years to the day we gathered at the Cabazon Sheriff's Station with family and department members to remember and share in our gratitude for those who take the oath to serve and protect, and paid with their lives. Gone but never forgotten.



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RIVERSIDE SHERIFFS' ASSOCIATION

MEMBER'S GUIDE

Organization **RSA**
Members **4,000+**
President **Bill Young**
Area **Riverside County**



TOP OBJECTIVES OF RSA

The Riverside Sheriffs' Association is the Exclusive Employee Organization representing our members employed by the Riverside County Sheriff's Department. The Riverside County Sheriff's Department is one of the largest Sheriff's Departments in California.

Represent

To not only represent its members but to advance the social, economic, educational and general welfare of its members. We are committed to fighting for all RSA members.

Seek

To seek legislation necessary or conducive and play an active role in the political arena in furtherance of the interests of the membership.

Promote

To promote the professional interest of the members and protect their rights to such economic, educational and other benefits and services as may be desirable.

Assist

To provide aid through the Riverside County Deputy Sheriff Relief Foundation to members and their families facing life changing crises.

The Riverside Sheriffs' Association began as the Riverside County Sheriff's Training Center Corporation in 1943, but since then has evolved into a labor organization that represents members, individually or collectively, in all matters relating to their employer-employee relations, including but not limited to grievances, labor disputes, hours, wages, and to other terms and conditions of employment as prescribed by law.

FUN FACTS ABOUT RSA

We have been able to provide donations to over 50 organizations and/or special events this year up to date.



RSA is one of the largest Sheriffs Associations in California.

RSA has a dedicated staff of 16 people.



We have snacks in our office!

www.rcdsa.org



RSA COMMITTEES

RSA currently counts with 12 committees. These committees have been established to carry out the objectives of the Association, and to help carry out the policies and programs established by the Board of Directors and general membership.

- Legal Coverage Appeals Board
- Legal Review Committee
- Legal Defense Trust
- Political Action Committee
- Benefit Trust Board
- Riverside County Deputy Sheriff Relief Foundation
- Special Events & Donations
- Award Review Board
- Collective Bargaining Committee/LEBU
- Collective Bargaining Committee/CDBU
- Collective Bargaining Committee/PSU
- Trailer Committee

Serving Those Who Serve

RIVERSIDE SHERIFFS' ASSOCIATION

WWW.RCDSA.ORG



Riverside County Deputy Sheriff Relief Foundation Update



Husqvarna FC 450 Winner Announced

Marlyn Kerbs
Events & Fundraising
Manager



The Riverside County Deputy Sheriff Relief Foundation

started the year strong. We want to thank the Coachella Valley Firebirds, One Valley Foundation, and JE Foundation for their generous donations to the Relief Foundation. We appreciate your support and help in furthering our mission of Serving Those Who Serve.

At the start of January, we conducted our raffle and announced the winner of the Husqvarna FC 450. If you missed the announcement, make sure to follow us on Instagram (@riversidesheriffsassociation), the winner was Melinda Sears. Congratulations Melinda Sears! RSA and the Relief Foundation would like to thank all those who supported this fundraiser and purchased tickets for the Husqvarna FC 450. A special thank you to our sponsors; The Law Office of Matthew D. Hill, Union First, LAP-FCU, Husqvarna, Defensive Strategies and Firearms, LLC., Matrix Concepts, Troy Lee Designs, FMF Racing, LLC., Parts Cartel, State Assemblyman

“ These promotions/raffles are centered around raising money to help you, your fellow officers, and our community at large in times of need. ”

Phillip Chen (59th State Assembly District), C.A.H.P. Credit Union, and AEO Powersports, we wouldn't be able to do this without their support.

These promotions/raffles are centered around raising money to help you, your fellow officers, and our community at large in times of need. While we would all like to think nothing bad will ever happen to us, the reality is in this line of work and in this day and age the risk is high.

In the brief time RSA has employed me, I have had the honor of seeing all the good and witnessed firsthand the

amount of support the Foundation and RSA offer its members. It is our goal to highlight all the good the Foundation does while bringing more awareness and member engagement to the Foundation.

If you have yet to contribute to the Relief Foundation, we urge you to consider donating and/or participating in our next fundraiser/event. We have exciting events scheduled, here are a few of the upcoming events; RSA Awards Banquet, Baker to Vegas, Golf Tournament, and more. Stay up to date with all our events by following us on social media. ★



If you have any questions regarding the Relief Foundation and would like to donate, please feel free to reach out via phone or email: Marlyn@rcdsa.org or (951) 653-5152.



Online Doctors? There' an app for that!

LIVEHEALTHONLINE.COM

Or you can download the free mobile app.

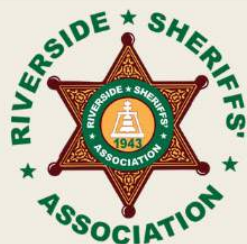
Easy, fast, online doctor visits. All from the comfort of your own coputer or mobile device.

Talk to a doctor today, tonight, anytime - 365 days a year. No appointment necessary and you can see a doctor who can answer questions, make a diagnosis, and even prescribe basic medications when needed. See website for details.

Anyone can use it! If you are an active Anthem member you will be charged your office visit copay; if you are not an Athem member, the cost is \$40.



RSA ALL-STAR



FOOTBALL CLASSIC

Saturday, January 20, 2024



Coach Oscar McBride
Leading the Southside team was Coach Oscar McBride from Murrieta Mesa High School.

The Annual face off between the Northside and Southside RSA All-Star teams each year. Hosted by IE Sports Net.



Post Game team huddle.



Coach Travis Carter
Heading up the Northside team and leading them to a 30-14 victory was Coach Travis Carter from Hillcrest Highschool.



President Bill Young and Executive Director Dave Brown (pictured in center) were in attendance to present awards and give thanks to everyone who participated and to those who made the event possible. This event marks the last football game to be played in the high school career for some of these players. We are always impressed by the talent and passion that the athletes bring to these games each year.



MVP
Congratulations to Northside's MVP **J'Shaun Thomas** from Poly High School

8TH GRADE RSA FUTURES ALL-STAR Classic

Saturday, January 20, 2024



Coach Richardson
The Riverside team was lead by Coach Richardson

Starting out the cold and rainy day was the 8th grade Futures All-Star game. With Riverside and San Bernardino going head to head for the winning title of Champions. San Bernardino



Team huddle during half-time



Coach Esquivel
Coaching for the San Bernardino team was Coach Esquivel. Leading his team to Victory!



Congratulations to San Bernardino's MVP
Kamari Smith



These 8th graders braved the wind and rain and played a close game. Honorable mention to Josiah Dupree-Boyd (QB) for an outstanding performance. President Bill Young and Executive Director Dave Brown (pictured center) pose with the teams after awards and MVP recognition. Thank you to all everyone who participates and makes these events a success.

\$150 MILLION in Employment Law Results



\$13.1
MILLION

for two male LAPD police officers who were discriminated and retaliated against on the basis of their sex

\$10.1
MILLION

for an LAPD Captain who was retaliated and discriminated against

\$4.3
MILLION

for a veteran LAPD Lieutenant Officer who was subjected to disability discrimination and retaliation after suffering a severe back injury

\$3
MILLION

for six LAFD firefighters who blew the whistle on unsafe practices

\$1.5
MILLION

for a firefighter who endured more than three years of harassment as a result of an on-duty injury

\$1.5
MILLION

for two firefighter recruits who were discriminated, harassed and retaliated against



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\$2 BILLION in Personal Injury Results

\$300
MILLION

class action settlement on behalf of consumers against Epson America, Inc.

\$62
MILLION

settlement for a wrongful death

\$44
MILLION

on behalf of air crash victims at Long Beach airport in California

\$30
MILLION

on behalf of eight children and families of sexual abuse scandal

\$15
MILLION

settlement due to traumatic limb loss and amputation

\$10
MILLION

for a construction worker who suffered on-site injuries



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1 January 2024

National Fraternal Order Of Police



To read the full report scan the QR code for access.



MONTHLY UPDATE: LAW ENFORCEMENT OFFICERS SHOT AND KILLED IN THE LINE OF DUTY.

“The National Fraternal Order of Police regrets to report that as of midnight on 31 December, there have been **378** officers shot in the line of duty so far in 2023(+14% from 2022 YTD; +9% from 2021). Of those officers shot, **46** of them were killed by gunfire (-25% from 2022 YTD; -28% from 2021 YTD).

There have been **115** ambush-style attacks on law enforcement officers this year. These ambush-style attacks have resulted in **138** officers shot, **20** of whom were killed.”

Nature of Attacks:

“Every felonious attack on a law enforcement officer, especially by gunfire, is disturbing regardless of circumstances. Officers are always susceptible to life-threatening attacks and therefore must always be vigilant and maintain the highest level of situational awareness.”



“The National Fraternal Order of Police is the world’s oldest and largest organization of sworn law enforcement officers. We proudly represent more than **373,000** members from more than **2,200** lodges.”

Deputy Depot

RIVERSIDE SHERIFFS' ASSOCIATION



The Deputy Depot is located at the RSA Office

For special orders, please contact Vickie Arreola by email at vickie@rcdsa.org.

★
NEW

YOUR NEW ACCESS TO DISCOUNT TICKETS

**Fall into Savings
with These Deals**



October Highlights

Six Flags: Enjoy this year's Fright Fest and save up to 60% on tickets
Sennheiser: Save 10-50% on headphones
Flights: Book your international and domestic flights and save up to 20% on airfare
Fincraft Design: Save up to 70% on home decor
EveryPlate: Get 75% off your 1st box with free shipping + 15% off for 51 weeks



Spooky Halloween Deals

Embrace the Halloween spirit and enjoy eerie savings this holiday season with offers on:

- **Universal Orlando Halloween Horror Nights:** Save over 45% off
- **Dylan's Candy Bar:** Get 20% off + free shipping on orders \$75+



Fall Specials

Refresh your wardrobe or jumpstart your holiday shopping with exclusive offers this fall season.

- **Lenovo:** Save up to 74% on tech and electronics
- **TravisMathew:** Save 15% sitewide on boots, clothing, bags, and more



Mental Health Awareness

October 10th is World Mental Health Day. Take care of your mind, body, and well-being with these great offers:

- **Cope Notes:** Save 20% on your subscription
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Workers' Compensation Legal Presumptions: Fact V. Fiction

Matthew D. Hill, Esq.
Chief Counsel, RSA Wellness Unit



As is widely known but frequently misunderstood, public safety members benefit from Labor Code “presumptions” for certain injuries/medical conditions. It is common to hear the term “presumptive” when discussing work-injuries for public safety; however, the term “presumptive” is often misconstrued and what it *actually* means is completely lost. This misunderstanding is not intentional; rather, the term “presumptive” is loosely used among members as a means of communicating the injury is obviously work-related. In a member’s mind it is already a foregone conclusions that the injury/condition is work-related.

“What does “presumptive” actually mean?” The Labor Code has recognized those employed in public safety have a greater potential for suffering injury or developing certain medical conditions due to their routine workplace exposures and activities; and as such, those conditions are “presumed” work-related. California Labor Code section 3212 through 3213 outline the medical conditions which are “presumptive;” including: heart trouble, low back, hernia, pneumonia, cancer (and others.) If one of these injuries/conditions develops or manifests, the injury/condition is statutorily presumed work-related for a qualifying member; thereby, *shifting the legal burden* to the employer to prove the injury was *not* related to employment.

“Why is shifting the legal burden so important?” Once the legal presumption for injury is activated, the employer is *required* to prove (with specific, limited, medical evidence) the presumptive injury/condition is not related to employment. At this point, the injured member has met their legal burden of proof. If the employer cannot rebut this presumption of injury with credible evidence, the employer has not overcome their legal burden and the injury is deemed work-related.

Some legal presumptions (including heart trouble) take it one step further and require the employer provide specific evidence proving there is *zero* workplace contribution;

// *Many presumptive injury claims are delayed and/or denied; requiring an injured member to further prove their claim before their employer will accept.* //

otherwise, an employer fails to meet their burden. The legal burden placed upon an employer for rebutting a presumption is extremely high and rightfully so. The legislature has decided to ensure public safety members are treated fairly and promptly in these scenarios with the aim for a quick (and safe) return to work. The high legal standard for rebutting a presumption should also discourage an employer from needlessly fighting an injured member; however, unfortunately that is not always the case.

“This means an employer will accept a presumptive claim immediately, right?” Although the legislature has statutorily provided the presumption for a member’s benefit, it is not a guarantee an employer will automatically accept the claim. Many presumptive injury claims are delayed and/or denied; requiring an injured member to further prove their claim before their employer will accept. Once a delay/denial occurs, the process of proving an injury/condition as work-related then transitions to medical examiners to evaluate the injury/condition and render a conclusion while also considering the member’s legal presumption of injury.

Understanding how workers’ compensation laws apply to medical conditions and workplace injury is important. Learning about rights and benefits are critical in maintaining health and longevity in a public safety member’s career. ★

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Concealed Carry In California

Understanding The Landmark Shift In CCW Regulations

By Muna Busailah

RSA/LDT General Counsel

The legal landscape for concealed carry weapons (CCW) in California has seen significant changes recently. Here's what you need to know:

RECENT COURT RULINGS:

December 20, 2023: The US District Court (USDC) issued a preliminary injunction, temporarily halting the enforcement of certain parts of Senate Bill 2. This ruling was

based on the decision that these parts were unconstitutional for individuals holding CCW permits.

December 30, 2023: The Ninth Circuit Court of Appeals maintained the status quo by issuing an administrative stay on this injunction. Then, a week later:

January 6, 2024: The Ninth Circuit Court of Appeals removed the stay allowing the preliminary injunction to take effect. This means CCW permit holders in California can now legally carry their firearms in areas previously designated as gun-free zones under the new law, without fear of prosecution.

“Simply put, CCW holders are not the gun wielders legislators should fear. Indeed, CCW holders are not responsible for any of the mass shootings or horrific gun violence that has occurred in California. CCW holders are among the most responsible, reliable lawabiding citizens.”

UNDERSTANDING SENATE BILL 2:

Background: Signed into law by Governor Newsom on September 26, 2023, and effective from January 1, 2024, Senate Bill 2 (SB2) made significant changes to the CCW permit process and regulations.

Key Changes: SB2 eliminated the ‘good character’ and ‘good cause’ requirements for obtaining a CCW permit. However, it introduced restrictions, prohibiting CCW holders from carrying firearms in 26 types of locations, termed “sensitive places.” The locations where CCW holders are prohibited from carrying include: hospitals, mental health facilities, nursing homes, medical offices, urgent care facilities, public transportation, establishments where intoxicating liquor is sold for consumption on the premises, public gathering and special events, playgrounds and private youth centers, parks and athletic facilities, Parks and Recreation/Fish and Wildlife properties, except in hunting areas, casinos and gambling establishments, stadiums and arenas, public libraries, amusement parks, zoos and museums, places of worship, financial institutions and privately-owned commercial establishments unless the operator clearly posts a sign allowing CCW holders to carry. Basically, all public places in California.

Reaction: This led to a lawsuit from 14 CCW holders and 10 organizations, challenging these restrictions as unconstitutional.



Continued

THE SECOND AMENDMENT:

The Second Amendment protects the individual’s right to own and carry weapons, both inside and outside the home. This includes the right to carry firearms for personal defense.

United States Supreme Court directives in cases *District of Columbia v. Heller*, 554 US 570 (2008), *McDonald v. City of Chicago*, 561 US 742 (2010) and *NY State Rifle & Pistol Ass’n v. Bruen*, 142 S. Ct 2111 (2022) emphasize that the Second Amendment must not be treated as inferior and affirms the right to self-defense through responsible arms bearing.

PRELIMINARY INJUNCTION CRITERIA:

For a preliminary injunction to be granted, plaintiffs must demonstrate: (1) A high likelihood of success in their legal arguments (2) Potential for irreparable harm without the injunction (3) The balance of equities (fairness) favors them (4) The public interest supports the injunction.

The District Court evaluated the above and sided with the plaintiffs, declaring that SB2’s restrictions were unconstitutional and “effectively abolished the right of law-abiding and exceptionally qualified citizens to be armed and to defend themselves in public.”

The court recognized the fundamental right to self-defense and emphasized the reliability and law-abiding nature of CCW holders. “Simply put, CCW holders are not the gun wielders legislators should fear. Indeed, CCW holders are not respon-

sible for any of the mass shootings or horrific gun violence that has occurred in California. CCW holders are among the most responsible, reliable lawabiding citizens. They have been through a vigorous vetting and training process following their application to carry a concealed handgun. The challenged SB2 provisions unconstitutionally deprive this group of their constitutional right to carry a handgun in public for self-defense. Therefore, those provisions must be preliminarily enjoined.”

TAKE AWAY:

Effective immediately, the injunction on SB2 is statewide. Law enforcement agencies should not enforce the SB2 restrictions on CCW holders.

CCW permit holders are now legally permitted to carry in previously restricted “sensitive places.” ★

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R	E	M	A	E	R	T	S	L	J	N	O	H	E	A
G	K	S	B	F	P	J	H	H	R	S	M	Y	F	G

Auld Lang Syne
Ball Drop
Carnation
Celebrate
Champagne
Confetti

Count Down
Firecrackers
Garnet
I Have A Dream
(Martin Luther) King Jr.
Midnight

Resolution
Streamer
Toast
Parade

January Sudoku

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EOW: January 5, 1997



James W. Lehmann, Jr.
EOW: January 5, 1997



Darnell Calhoun
EOW: January 13, 2023

Frank Hamilton EOW: April 9, 1895	William Fredrick Carter, Jr. EOW: May 20, 1969	Michael P. Haugen EOW: January 5, 1997	Terrell D. Young EOW: April 2, 2020
Preston Van Buren Swanguen EOW: December 24, 1907	Edward Michael Schrader EOW: July 11, 1974	James W. Lehmann, Jr. EOW: January 5, 1997	Harry Cohen EOW: October 18, 2020
Leroy H. Tripp EOW: April 10, 1916	James Bernard Evans EOW: May 9, 1980	Eric Andrew Thach EOW: October 8, 1999	Julio Beltran EOW: November 14, 2020
Henry Fredrick Nelson EOW: September 22, 1921	Dirk Alan Leonardson EOW: October 4, 1980	Jim W. Purkiss EOW: April 16, 2001	Steve Taylor EOW: February 24, 2022
Theodore Crossley EOW: September 22, 1921	Michael David Davis, Sr. EOW: October 24, 1988	John Towe EOW: February 15, 2002	Isaiah Cordero EOW: December 29, 2022
Howard R. Scheffler EOW: February 29, 1956	Randy Robert Lutz EOW: June 22, 1989	Brent Jenkins EOW: March 18, 2003	Darnell Calhoun EOW: January 13, 2023
Roger Allen Strong EOW: August 7, 1961	Kent A. Hintergardt EOW: May 9, 1993	Bruce Lee EOW: May 13, 2003	Deputy Brett Harris EOW: May 13, 2023
William Joseph Rutledge EOW: May 14, 1969	Mark S. Kemp EOW: November 9, 1994	Manuel Villegas EOW: March 19, 2007	

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Deputy Ryan Clinkunbroomer Los Angeles County Sheriff's Department EOW: September 16, 2023	Officer Tuan Le Oakland Police Department EOW: December 29, 2023	

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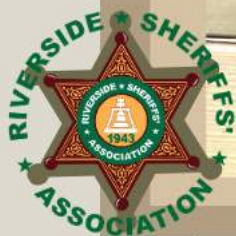
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