

4th Annual Float Down * Government Affairs Winning Gold * Racing For A Cause * Childcare Survey Results Relief Foundation & Fundraising Recap CPL Aaron M. Allen Memorial Golf Tournament RSA At The Tunnel To Towers Tournament * Chef's Corner * Retirements Chapter 13 Update * Why California Cops Must Think Beyond The Arrest When Liability Releases Do Not Protect Fair & Equitable Distribution Of 3rd Party Recovery Limits On Medical Care Done By Ghost Doctors

NOTICES



All Points Bulletin is

owned and published by the Riverside Sheriffs' Association (RSA) and is published monthly at 21810 Cactus Ave., Riverside, CA 92518. View it online at www.rcdsa.org.

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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 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.

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

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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.)

CRS / BLYTHE JAIL & LOCAL LEO FLOAT DOWN

OCIA

SATURDAY 07 JUNE, 2025

The sun was shining and the river was flowing as the Colorado River Station and Blythe Jail hosted their 4th Annual Float Down, an event that's quickly becoming a summer tradition for the Riverside County law enforcement community.

This law enforcement-friendly float is more than just a day on the water; it's a celebration of camaraderie, connection, and collaboration. Agencies from across the region came together to unwind, bond, and enjoy a well-deserved break surrounded by the natural beauty of the Colorado River.

A special thank you goes out to the Blythe Police Department for their presence and support out on the water, helping ensure a safe and enjoyable experience for all attendees. Their partnership plays a key role in making events like this one a continued success. Adding to the atmosphere, RSA's Rollin' Smokehouse was proud to serve up mouthwatering BBQ to everyone who joined in. Whether fresh off the float or stopping by for a bite, guests were met with the warm hospitality that defines our mission of Serving Those Who Serve.

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Rewards	\$50	\$15	\$50	\$30	\$145

Pulse Cash annual max: \$145 x 4 quarters = \$580

Use your Pulse Cash:





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Ways to earn:

Look for **How to Earn** in your account for a complete list of all the ways you can earn points.

	Do healthy things:	Earn points:
	Complete registration	100
	First login to mobile app	250
Getting	Connect first activity device	200
started	Complete a biometric screening	1,000
	Complete the health assessment	1,000
Daily	Upload steps from your activity tracker (per 1,000 steps)	10
	Do your Daily Cards (2 per day)	20
	Track your Healthy Habits (3 per day)	10
	Track sleep nightly	20
	Sleep > 7 hours in a night	50
	Complete a RethinkCare session	20
	Browse healthy recipes	10
	Complete a step in Journeys®	15
	Win the promoted Healthy Habit challenge	200
	Complete 20 Daily Cards in a month	200
Monthly	Sleep > 7 hours in a night Complete a RethinkCare session Browse healthy recipes Complete a step in Journeys® Win the promoted Healthy Habit challenge Complete 20 Daily Cards in a month Track Healthy Habits 20 days in a month Track sleep 10 days in a month Choose your eating type	300
	Track sleep 10 days in a month	100
Quarterly	Choose your eating type	250
	Choose your sleep profile	250
	Set your interests	100
Yearly	Set a wellbeing goal	200
	Complete the Nicotine-Free Agreement	100
	Invite a colleague to join	50



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GOVERNMENT AFFAIRS

Mary Arrizon Government Affairs Manager



A Month of Engagement...

June has been a month of engagement across all fronts. Whether at Chamber events, political fundraisers, or in person one-on-one meetings, RSA continues to prioritize fostering collaboration and strengthening relationships with elected officials, community partners and stakeholders. On June 27th, we were proud to host RSA's Community Leadership Roundtable Dinner. This event brought together elected officials, union partners, and businesses for a Public Safety Update by Sheriff Chad Bianco and the DA's office. The event also allowed us to network with more potential community partners. This event is a true reminder of the impact and influence RSA continues to have across the region. We are truly grateful for our event sponsors and speakers, for making this event a reality.

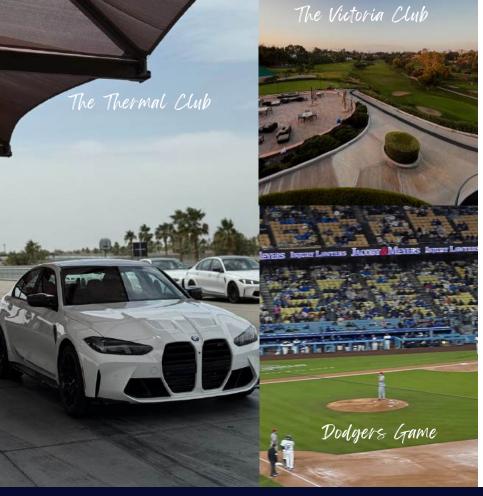
Our dedication to being present and actively engaged in Riverside County allows us to consistently highlight the priorities of our members. It is an honor represent RSA members across the county. We thank you for your continued support.

Sincerely,

Mary Arrizon

Government Affairs Manager mary@rcdsa.org 951-653-5152, ext. 1212





PAC PLUS EXCLUSIVE TO MEMBERS



PAC Plus - \$10/PP

PAC Newsletter Access, PAC T-Shirt, 1
 Raffle Ticket for Annual Raffle

PAC Elite - \$15/PP

 PAC Newsletter Access, PAC T-Shirt, PAC Hat, 2 Raffle Tickets for Annual Raffle, 1 entry for an Event w/ a plus one Annually)

PAC Premier - \$25/PP

 (PAC Newsletter Access, PAC T-Shirt, PAC Polo Shirt, PAC Hat, PAC Challenge Coin, 5 Raffle Tickets for Annual Raffle, 2 entries for Events w/ a Plus one Annually, 1 Gala Entry w/ Plus one)
 Recommended

NEW PAC INITIATIVES



RSA PUBLIC SAFETY ALLIANCE (NON-MEMBERS)

- Annual membership allowing outside prolabor, pro-public safety organizations to contribute on a quarterly basis
- 5 sponsorship levels ranging from \$1,000
 \$45,000
- Alliance perks seats to RSA events, customized gifts, and more.



\$2 BILLION in Personal Injury Results

\$300 MILLION \$62 MILLION \$44 MILLION **class action settlement** on behalf of consumers against Epson America, Inc.

settlement for a **wrongful** death

on behalf of **air crash victims** at Long Beach airport in California \$30 MILLION \$15 MILLION \$10 on behalf of eight children and families of **sexual abuse scandal**

settlement due to **traumatic limb loss** and **amputation**

for a **construction worker** who suffered **on-site injuries**





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\$150 MILLON in Employment Law Results

\$13.1 MILLION \$10.1 MILLION for two male **LAPD police officers** who were discriminated and retaliated against on the basis of their sex

for an LAPD Captain who was retaliated and discriminated against

\$4.3 MILLION

\$3

MILLION

\$1.5

MILLION

\$1.5

MILLION

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

for six **LAFD firefighters** who blew the whistle on unsafe practices

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

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



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BRINGING HOME THE GOLD: Deputy Probation Officer Daniel Campana (left) and Senior Probation Officer Tyler Buffington (right) celebrate their gold medals at the 2025 US Police & Fire Championships.

TIO

Winning Gold At The US Police & Fire Championships

By Tyler Buffington Senior Probation Officer

CU

ay 31 to June 7 was the 58th year of the United States Police and Fire Championships. Senior Probation Officer Tyler Buffington and Deputy Probation Officer Daniel Campana competed in the doubles cornhole event at the 2025 United States Police and Fire Championships.

LOE

While representing Riverside County Probation and Riverside Sheriffs' Association, they emerged victorious and earned gold medals for their efforts. Also, Buffington competed in the singles portion of the Cornhole event and earned a Silver medal.

Then came the Billiards events. Buffington was able to successfully defend his gold medal in 9 ball, which marked four years in a row winning the event. Adding to an already successful trip, Buffington capped off the week by winning the gold medal in the 10 ball portion of the Billiards events. This was a personal best of earning three gold medals and one silver medal for one trip. This also marked seven years in a row Buffington has earned a gold medal while competing at the USPFC.





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Racing For A Cause

Jose Santos Vice President

or the last several years, the Riverside Sheriffs' Association proudly partnered



with Racing for ALS and supporting one of our members, District Attorney Investigator Kyle Wilder with, Wilder Racing bring awareness and research towards fighting ALS (Amyotrophic Lateral Sclerosis). ALS is a devastating neurological disease that affects thousands of individuals and families across the country. It slowly robs a person of their ability to walk, speak, eat, and breathe, while leaving the mind fully intact.

At RSA, we believe in standing up for those who fight battles most don't see. By teaming up with Racing for ALS and Wilder Racing, we were able to bring that fight to one of the world's most iconic racing events.

KYLE WILDER'S UNFORGETTABLE DEBUT

Representing Racing for ALS, RSA and several other notable organizations, Kyle Wilder took on the challenge of a lifetime at the 103rd Broadmoor Pikes Peak International Hill Climb also known as "The Race to the Clouds."



In his rookie year, Kyle entered the Unlimited Class behind the wheel of a naturally aspirated 2019 Chevrolet Camaro SS 1LE, facing off against elite, turbocharged and highhorsepower competitors from all over the world. As the official start time got closer by the minutes, race officials had to make a course change for the first time in the race's existence, due to high wind at 110 mph at the finish line. For the safety of the volunteers, spectators and of course the driver's safety the course was modified from 12.42 miles to 7 miles, and from 156 turns to 52 turns.

Despite the odds, Kyle powered through the 7 mile, 52-turn mountain course and finished 16th in class, a



remarkable result that sent a strong message: with determination and heart, even the steepest climbs are possible. His time of 5:08.816 was more than a number; it was a tribute to every family affected by ALS and a reminder that awareness can be raised through action.

WHY RSA CHOSE TO SUPPORT THIS MISSION

Our decision to sponsor Racing for ALS and Wilder Racing was rooted in more than just motorsports. It was about aligning with a purpose-driven mission, one that resonates deeply with our values as peace officers, public servants, and members of a community that looks out for one another.

Kyle's dedication to bringing attention to ALS, both on and off the track, made him the perfect partner in this effort; especially as a member of our organization. His commitment reminded us all that the same grit required to face a mountain is the same kind of grit required to face ALS.

LOOKING FORWARD: 2026 AND BEYOND

As Kyle Wilder sets his sights on next year's race and organizing other races to fight for awareness and research for ALS, we at RSA are already looking forward to continuing this partnership. With more experience, more preparation, and the same unwavering purpose, Wilder Racing is only getting started, and RSA will continue to stand beside them every step (and mile) of the way.

Together, we are not only racing to the clouds, but racing toward a cure.

Thank you to all our members for supporting this important cause. To learn more about ALS and how you can help, please visit: www.als.org

For updates on Kyle Wilder and the next leg of his racing journey, follow:

- Instagram: @WilderRacing_
- Pikes Peak Info: www.ppihc.org *









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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

Promote

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.

economic, educational and other benefits and services as may be desirable. Assist

To promote the professional

interest of the members and protect their rights to such

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 has a dedicated staff of 16 people. RSA is one of the largest Sheriffs Associations in California. We have snacks in our







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



RIVERSIDE SHERIFFS' ASSOCIATION

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- Make sure to enter the code 'RSA' in the entry form

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- Public Safety Assistance Loan at a highly competitive rate to buy your first responder supplies and equipment
- Low-Profile Debit & Credit Cards to protect your identity

We welcome all members of the RSA and their families to join today at **www.thepolicecu.org/welcome** to take advantage of these and other offers available exclusively for law enforcement members.

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¹Members and non-members are eligible as long as they complete required actions. Employees, Credit Union volunteers and their families are not eligible. Entries received after closing period will not be considered for giveaway. Final winner will be selected at random. Odds of winning subject to the number of entries received. Winner will be announced each quarter.

*For complete details visit www.thepolicecu.org/endofwatch. **The Police Credit Union will refund ATM surcharges up to \$3 per out-of-network ATM transaction (up to 10 per month). Checking account is required for rebates.

CHILDCARE SURVEY RESULTS

Jose Santos Vice President

ood Morning RSA Members, I want to extend my sincere thanks to each



of you who took the time to participate in the recent childcare survey. Your feedback is incredibly valuable and helps guide the direction of potential new benefits for our membership.

I'm pleased to share that 68% of respondents expressed interest in having the RSA Benefits Trust continue exploring options for a childcare benefit. This is an exciting opportunity, and we appreciate your input as we continue to look into what this might look like in practice.

When it comes to childcare, we're actively exploring platforms that can serve all members, regardless of whether you live inside or outside Riverside County. One of the strongest contenders we're looking into is a partnership with TOOTRiS; a modern, flexible, and tech-driven solution for childcare coordination.

TOOTRIS is an on-demand childcare platform that works similarly to how rideshare, or food delivery apps operate, but for childcare. Here's how it could benefit RSA members:

> • Real-Time Access to Childcare Providers: Find licensed childcare facilities and in-home providers near your home or

workplace and give you the ability to interview the provider and inspect the location prior to you taking your children

- Flexible Search Filters: Search by hours, proximity, availability, and specific care needs (e.g., infants, after-school care, etc.)
- Immediate Scheduling: Book openings instantly; especially helpful for shift workers with unpredictable hours
- FSA Integration: Allows you to incorporate your Dependent Care Flexible Spending Account (FSA) (If enrolled annually through the County) into the platform so you can maximize your pre-tax savings and streamline payment



RSA's membership is spread across Riverside County and into neighboring counties. That's why we're leaning toward a decentralized and flexible model.

- Centralized Resource Hub: Gives you access to ratings, licensing information, and program details so you can make informed decisions
- Mobile Friendly: Works on desktop and mobile devices, offering full flexibility on the go

Unlike city-sponsored plans like the one utilized by San Diego Police Department, which is centered around specific geographic locations, RSA's membership is spread across Riverside County and into neighboring counties. That's why we're leaning toward a decentralized and flexible model, like TOOTRiS or other like it, that can meet members where they are and still deliver meaningful support.

While this program may not immediately offer direct stipends to reduce childcare costs, it can serve as a valuable resource to help you locate care, manage schedules, and stretch your childcare dollars further. It's a first step toward building a more robust childcare support system for all RSA families, eventually getting to the point where it could provide a stipend if negotiated through the county.

MEDICAL OFFICES PROJECT

Many of you also raised thoughtful and important questions, not just about childcare, but about the broader operations of RSA and other benefits. At the RSA Benefits Trust, our mission is to continually explore meaningful and sustainable ways to enhance benefits for our members; but also looking at ways to reduce out of pocket expenses. While not every initiative will directly affect every member, we strive to deliver solutions that benefit the membership as a whole. These are often complex, long-term efforts that we approach one step at a time.

One major project currently in development is the potential launch of RSA-exclusive medical offices providing Advanced Primary Care / Family Medicine throughout Riverside County, dedicated solely to RSA members.

We know many of you are frustrated by extended appointment wait times, often 3–4 weeks out, only to spend more time in the waiting room than with the doctor. With our own facilities, we could:

- Drastically reduce wait times
- Provide personalized, highquality care
- Ensure care providers are familiar with the demands of law enforcement work
- Improve convenience, trust, and continuity in your care
- Offer a cost-effective solution, reducing administrative overhead and delays

Additionally, having our own medical infrastructure may help lower utilization data reported to insurance providers, which could ultimately reduce the actual cost of insurance premiums, both for active members and retirees.

RETIREE MEDICAL COVERAGE

One of our most significant challenges is the cost of retiree medical coverage. The Trust cannot legally use active member funds to subsidize retiree premiums. As a solution, RSA entered into an agreement with the County that allows us to return \$110 per pay period per member from active members medical contribution back to the County. The County then contributes:

- \$10 per pay period to a 401(a)retirement plan
- \$100 per pay period to a VEBA account

These funds are meant to help offset future medical costs in retirement, and we'll continue exploring more longterm solutions to support our retired members. We are excited about these potential improvements and look forward to keeping you updated as each initiative moves forward. Your continued engagement, questions, and feedback are key to shaping the benefits that best support you and your families. If you have any questions, please do not hesitate to email me. *****

> Warm regards, Jose Santos Vice President

In honor of **Timothy Corlew**

Tim was son, brother, husband, father and a friend to everyone, Tim's life tragically ended far to soon on January 8, 2025 while he was on duty and riding his motorcycle to work.

While he may be gone from this world he will remain in our hearts through our memories and the legacy that he has left behind.

Tim was a supporter of Southern Collective Spirit Company and to honor Tim, Shane Wyatt selected a 6 year Tennessee Wheated Bourbon. This single barrel came in at 127 proof.

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127 PROOF63.51



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TIMOTHY CORLEW MEMORIAL BOTTLE

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Relief Foundation & Events and Fundraising June Recap



In June, we had the honor of attending the End of Academy Presentation at the Ben Clark Training Center (BCTC) for Academy Class 114. As these future correctional officers prepare to embark on their careers, it was a privilege to meet and connect with them during this milestone moment.

Over a shared lunch, we introduced the Riverside Sheriffs' Association and discussed the vital role we play in supporting law enforcement professionals highlighting legal defense coverage, member benefits, and the impactful work of the Riverside County Deputy Sheriffs' Relief Foundation.

To recognize the hard work and dedication these recruits demonstrated throughout their rigorous training, we closed the visit with a small but meaningful gesture well-earned: cupcakes to celebrate their accomplishments.

We remain committed to showcasing the positive influence of our Association and shining a light on the essential support provided by the Relief Foundation both of which play a critical role in the continued strength and success of our law enforcement community. On July 11, 2025, we will proudly host the annual Riverside Sheriffs' Association Awards Banquet an evening dedicated to honoring not only the courageous men and women of law enforcement, but also exceptional community members whose extraordinary efforts have directly contributed to the safety and success of our deputies.

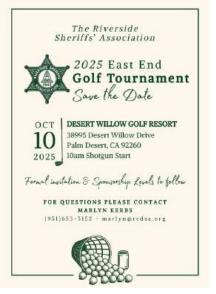
This year, we are honored to welcome Sheriff Chad Bianco as our Master of Ceremonies. His leadership and unwavering commitment to public service promise to make this a truly memorable occasion especially as he stands poised to potentially serve as California's next governor.

Additionally, we extend our sincere gratitude to our two Medal of Valor sponsors, The City of Rancho Mirage and Union First for their unwavering support of our mission, "Serving Those Who Serve." Their continued partnership plays a vital role in helping us honor and elevate the law enforcement community.



As we reflect on the importance of recognizing service, sacrifice, and community partnership, the Riverside Sheriffs' Association remains deeply committed to honoring those who go above and beyond in support of public safety. Whether through celebrating our newest recruits, uplifting the families of fallen heroes, or hosting events like the annual Awards Banquet, our mission is clear: to serve those who serve.

We thank our members, partners, and sponsors for standing with us in this vital work and we look forward to continuing this journey together with pride, purpose, and unity. With several more events coming up, we're committed to growing the impact of the



Riverside County Deputy Sheriff Relief Foundation one step, one story, and one success at a time. If you have any questions regarding the Foundation and/ or would like to volunteer or donate, please feel free to reach out via phone or email. Until next month, stay safe and let's make a difference together.



Marlyn (mar-leen) Kerbs Marlyn@rcdsa.org

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CPL Aaron M. Allen USMC Memorial Golf Tournament

he Cpl. Aaron M. Allen USMC Memorial Golf tournament was held on June 6 at Arrowhead Country Club. The RSA was represented by Anthony Pena, Tyler Buffington, John Tolentino, and Sanisa Kissell.

RSA At The Tunnel To Towers Golf Tournament

SA sponsored two teams for the Tunnel to Towers Golf Tournament, which was held on Friday, May 30th at San Vicente Golf Course.

Pictured is the winning team of (left to right) RSA members Shane Day, Michael Kramer, Sean Denham, and Jordan Merle.



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- **New logo**: Starting December 16, the app name will change to Personify Health and the icon will change to our new brand mark, Percy.

Stay tuned for more updates! In the meantime, sign in and keep working on your health goals at member.virginpulse.com.

New name, same benefits

TIP:

Enable biometric sign-in on the app for increased security and quick access to your account, and bookmark the new website once you're redirected!



Chéf's Corner

Grilled Sausage &

Pepper Hoagies

Serves: 4-6

└ Cook Time: 15 Minutes È Prep: 60 Minutes

Ingredients:

- 4-6 Italian Sausages. Type to your preference mild or hot.
- 3 Bell Peppers, any color
- 1 Large Yellow Onion (sliced)
- 1 Red onion, cut into chunks

- 2 Tbsp Olive Oil
- Salt & Pepper to taste
- 4-6 Hoagie Rolls or Sandwich Buns

 \bigcirc

- Provolone Cheese
- Marinara or Mustard (optional)

Instructions:

- Step 1: Heat grill to medium. Grill sausages, turning occasionally, for about 15–20 minutes until fully cooked (internal temp: 160°F).
- Step 2: Sauté the peppers & onions
- Step 3: While sausages cook, heat olive oil in a skillet (or grill-safe pan) over medium-high. Add sliced peppers and onions, season with salt & pepper, and sauté until soft and slightly charred (about 10–12 mins).
- Step 4: Toast hoagie rolls on the grill if desired. Place a sausage in each roll, top with sautéed peppers and onions. Add cheese or condiments if you'd like!
- Step 5: Wrap them in foil to keep warm and easy to serve at a party or picnic.



Tag us on social media with your attempts at the recipes @**rsachowshack**



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CONCRATURATION RETIREMENTS

NAME	CLASSIFICATION Y	EARS OF SERVICE	RETIREMENT
GARETH LEWIS	🕸 CORRECTIONAL SERGEANT	27	3/6/2025
DAWN SEGAWA	🗯 CORRECTIONAL DEPUTY II	17	3/20/2025
KEVIN WHITFORD	🗯 DEP SHERIFF	24	4/2/2025
TED RYAN	SR D.A. INVESTIGATOR B-III	31	4/16/2025
MICHAEL CALHOUN	🕸 SHERIFF CORPORAL	21	4/23/2025
ADRIAN OLVERA	* PROBATION CORRECTIONS OFFIC	ER II 22	4/30/2025
ROBERT CARRASCO	🗯 DEP SHERIFF	18	5/1/2025
JOSEPH CORONA III	🕸 CORRECTIONAL DEPUTY II	19	5/14/2025
VANESSA MARTINEZ-LARSEN	🕸 CORRECTIONAL DEPUTY II	17	5/15/2025
BENJAMIN DIFANI	🕸 DEP SHERIFF	15	5/19/2025
ALFREDO SEGARRA	🕸 CORRECTIONAL DEPUTY II	19	5/25/2025
JERRY BAUMAN	CORRECTIONAL DEPUTY I	17	5/29/2025



RETIREES

June 23, 2025 **Chapter 13, Retirees, Update**

Lester Harvey

Chapter 13 Director, Retirees

reetings retirees. I pray all is well in your retirement world. During the month of June, Retiree Chapter Directors Frank Anderson and Alicia Lopez facilitated and



hosted a luncheon for our desert resident retirees in Palm Desert. It is always uplifting to see members come together in the aftermath of a hardworking career in public safety. We will plan future desert-based luncheon for our retirees.

There has been an increase with RSA retiree membership, largely due to upcoming social

events, CCW insurance coverage, and FOP benefits. Please feel free to reach out if you have any questions regarding retirement membership information. For active members, who are contemplating retirement, give us a call, or come to either Riverside or Rancho Mirage RSA office for a preparation packet.

Sadly, we have lost another retiree member to an eternal homecoming. Raymond Gayton-Jacob passed away in early June after a long illness. Our thoughts, prayers, and well wishes are extended to Ray's family, friends, and loved ones. He will be sorely missed.

Continue to enjoy your well-deserved retirement.

Best Regards 🗯



UPDATES



WORKERS' COMPENSATION & INJURY ATTORNEY

THE LAW OFFICE OF

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F

MATTH

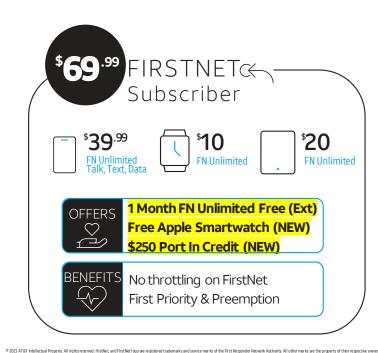
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Calling Friends of the RSA

The RSA Rollin' Smokehouse is looking for volunteers to help "Serve those who serve" at events to help feed our members and communities.

Volunteers must at least be 16 years of age. Friends of the membership are all welcome to help and volunteer. Culinary experience is always a plus, but not necessary. This is an excellent opportunity to give back to those who serve the community and also gain valuable culinary training.



IF YOU ARE INTERESTED IN THIS OPPORTUNITY OR FOR INQUIRES REGARDING THE RSA ROLLIN' SMOKEHOUSE, PLEASE CONTACT;

MIKE HEATH

RSA MEMBER SERVICES MANAGER

MICHAEL@RCDSA.ORG (951) 653-5152 OFFICE * (909) 855-6669 CELL Reasonable Force Vs. Reasonable Care

Why California Cops Must Think Beyond The Arrest



Alves v. County of Riverside, No. 23-55532, 2025 WL 1227942 (9th Cir. 2025)

Muna Busailah RSA Legal Defense Trust General Counsel

BACKGROUND:



n July 2019, Riverside County Deputies Gomez and Keeny responded to reports of a man in a mental crisis - Kevin Niedzialek. They found him in-

coherent, shirtless, shoeless and bleeding from the head.

As they approached, Niedzialek advanced toward Deputy Keeny. Deputy Gomez deployed her Taser. As the use of force ensued, the Deputies were able to get Niedzialek to the ground and struggled to handcuff him as he continued to kick and flail his legs.

Even after cuffing him, Niedzialek continued to buck and roll on the ground, and at one point said something to the effect of "need help." Over the next 45 seconds, the Deputies used their knees and hands to keep Niedzialek in the prone position. Eventually, he stopped moving.

Roughly three minutes, they realized Niedzialek wasn't breathing. They rolled him over and found a faint pulse. Neither Deputy initiated CPR and instead waited until paramedics arrived. Niedzialek died the following day.

THE LAWSUIT:

Niedzialek's successor, Tracy Alves, sued the Deputies and the County of Riverside for excessive force in violation of the Fourth Amendment and negligence under California law.

For the excessive force claim, Alves argued that holding Niedzialek in the prone position while cuffed restricted his breathing and constituted excessive force.

For the negligence claim, Alves argued that the Deputies failed in their duty to move him into a recovery position, monitor his pulse and breathing, and perform CPR when they noticed he was unresponsive.

At trial, the jury found that the Deputies did not use excessive force against Niedzialek, but did find that the Deputies were negligent in their actions.

The County appealed arguing that the verdict was inconsistent: how can force be "reasonable" under federal law but still "negligent" under state law? The County argued, if the



Generally, officers may only use force that is objectively reasonable to effectuate an arrest, to prevent escape, or to overcome resistance. However, because no use of force situation is the same, courts consider the objective reasonableness of the force based on the totality of facts and circumstances of each particular case.



negligence claim was analyzed under the same "reasonableness" standard as the excessive force claim, then the jury's verdict was inconsistent. In other words, the County argued that if the jury found the force was reasonable under the Fourth Amendment, then the Deputies couldn't have acted "unreasonably" making them negligent.

REASONABLENESS AND EXCESSIVE FORCE:

Generally, officers may only use force that is objectively reasonable to effectuate an arrest, to prevent escape, or to overcome resistance.

However, because no use of force situation is the same, courts consider the objective reasonableness of the force based on the totality of facts and circumstances of each particular case. The Supreme Court decision in *Graham v. Connor* (1989) outlined several factors that the courts consider in the totality including: (1) the severity of the crime; (2) whether the suspect posed an immediate threat of harm; and (3) whether the suspect was actively resisting arrest or attempting to flee.

REASONABLENESS AND NEGLIGENCE:

Under California negligence law, officers have a duty to act with reasonable care when using force against a suspect. If an officer fails to act reasonably, the duty will be breached, and the officer will be liable for injury that was caused by their unreasonable conduct.

Like excessive force claims, the reasonableness of an officer's conduct is determined in light of the totality of circumstances.

Because federal Fourth Amendment law governing excessive force and California negligence law both focus on whether an officer's use of deadly force was reasonable under the totality of the circumstances – aren't the standards the same?

Relying on the California Supreme Court case, *Hayes v. County of San Diego*, the Ninth Circuit answered no.

The California Supreme Court in *Hayes* specifically stated that "the Fourth Amendment's 'reasonableness' standard is not the same as the standard of 'reasonable care' under [California negligence] law." Although both are based on the totality of the circumstances, "state negligence law. . .is broader than federal Fourth Amendment law, which tends to focus more narrowly on the moment when deadly force was used."

Thus, the California Supreme Court held that a jury could consider an excessive force claim narrowly by focusing on how the force was used in the moment of the shooting while at the same time focusing broadly to consider whether officer acted in negligently or in manner consistent with their overall duty of care before, during, and after the force was used.

The Ninth Circuit applied the California Supreme Court's guidance in Hayes to the facts of the case before it.

Even if the suspect is secure and there is no longer an immediate threat, your duty of care does not end. Continue to monitor the situation and the potential needs and behavior of the suspect.

According to the Ninth Circuit, the jury here could have analyzed the Fourth Amendment claim narrowly by focusing on the amount of force the Deputies applied to Niedzialek after he was handcuffed and determined that the light pressure used to keep him in the prone position was not excessive.

On the other hand, the jury could also have analyzed the negligence claim broadly and concluded that the Deputies breached their duty of care to Niedzialek by unreasonably continuing to restrain him despite no longer moving. The jury could have also found that the Deputies breached their duty of care by failing to put Niedzialek in a recovery position or perform CPR when he became unresponsive.

On this basis, the Ninth Circuit ruled that the jury's verdict was not inconsistent. The Ninth Circuit thus affirmed judgment in favor of Alves.

BOTTOM LINE:

Winning an excessive force claim does not shield you from a negligence lawsuit. Once the threat ends, your duty of care continues—stay alert, reassess, and act fast if medical help is needed.

Even if the suspect is secure and there is no longer an immediate threat, your duty of care does not end. Continue to monitor the situation and the potential needs and behavior of the suspect – not only for potential threats but also for signs of whether the suspect needs prompt medical attention or intervention.

Stay Safe and Stay Informed! *

Muna Busailah is managing partner of Stone Busailah, LLP and has been representing public safety personnel for 27 years.

You Can Not Waive Safety:

When Liability Releases Do Not Protect Cities Or Event Hosts



Whitehead v. City of Oakland P.3d 2025 WL1261981(2025)

Mike Stone RSA Legal Defense Trust General Counsel

BACKGROUND:

A BIKE RIDE, A POTHOLE, AND A LAWSUIT



arch 2017, Ty Whitehead suffered a traumatic brain injury while participating in a group training ride

in preparation for the AIDS LifeCycle week-long fundraiser bike ride from San Francisco to Los Angeles.

Before the ride, Ty and all participants signed a release form titled "AIDS LifeCycle Training Ride General Information and Release and Waiver of Liability, Assumption of the Risk, and Indemnity Agreement." It clearly warned of risks including broken pavement and road debris and stated that participants "assume all risks associated with the event, even those which are not reasonably foreseeable."

At the time of the injury, Ty was riding downhill on Skyline Boulevard in Oakland when his front tire suddenly went down into a large, deep pothole causing him to flip over the bike and hit the back of his head on the pavement.

One year after the accident, Ty sued the City of Oakland for failing to maintain a safe street. The City argued on motion for summary judgment that the release form Ty signed barred his claim against the City for any liability. The trial court sided with the City and Ty appealed. The Court of Appeals affirmed, but the Supreme Court reversed, issuing a powerful reminder: You can't sign away a city's legal duty to maintain public roads. Liability waivers can provide strong legal protection, but NOT when they conflict with the law.

WHY THE WAIVER DID NOT WORK:

ORDINARY NEGLIGENCE VS. STATUTORY NEGLIGENCE

A typical liability waiver protects against claims of ordinary negligence – when someone fails to use reasonable care in general – i.e. plaintiff was owed a general duty of care, that the duty of care was breached, and the breach caused some sort of injury.

However, Ty argued that the duty of care owed to him by the City was not an ordinary duty but rather a statutory duty – the specific statute being Gov. Code §835 which holds public entities responsible for injuries caused by dangerous conditions on public property. The Supreme Court found that: a waiver cannot excuse a public entity from violating a statutory duty designed to protect public safety, such as maintaining safe roads.

The Court concluded that "an agreement to exculpate a party for future violations of a statutory duty designed to protect public safety is against the policy of law (under California Civil Code §1668) and is not enforceable." The Court noted that it has consistently decided similar issues since 1912 and cited subsequent decisions that followed the same reasoning.

For example, in *Hanna v. Lederman* (1963), a tenant's property suffered water damage when the fire sprinkler system flooded the building due to a municipal code violation. The tenant had signed a lease containing a release of liability, but the court held that it was unenforceable because there was a statutory duty to install the sprinkler system in accordance with the municipal code.

More recently in *Capri v. LA Fitness International, LLC* (2006), the Court of Appeal declined to enforce a release of liability clause in a gym waiver when a plaintiff slipped and fell on the edge of the facility pool due to algae. Because LA Fitness had statutory duty under state and local health codes to keep the pool area clean and free of algae and it failed to do so, the release of liability was not enforceable. The court concluded that "the plain language of [California Civil Code] §1668 invalidates contract clauses seeking to relieve a party from responsibility for future statutory and regulatory violations."

In this case, the California Supreme Court concluded that because Ty alleged that the City had a statutory duty to maintain the street, the Release and Waiver of Liability he signed prior to the injury was not enforceable.

BOTTOM LINE:

If a statute, regulation, or ordinance imposes a duty – whether it is on a city, property owner or event organizer – you cannot use a waiver to shield against liability for ignoring it.

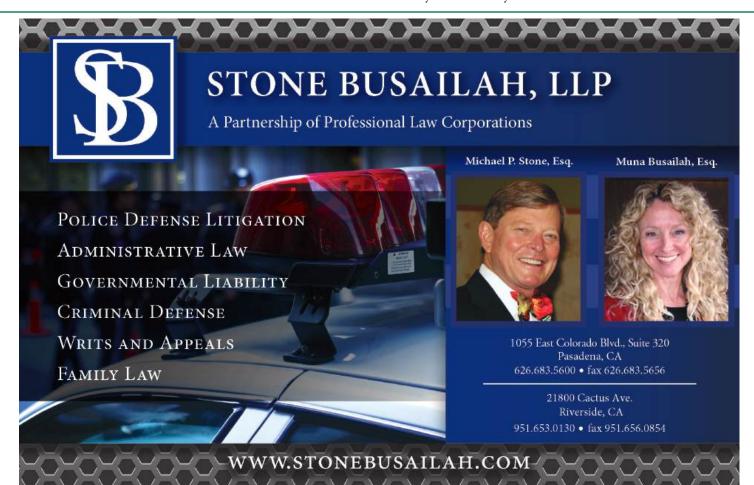
WHAT CAN BE DONE?

- Inspect the property where the event is to be held (streets, sidewalks, trails).
- Repair any dangerous conditions or block them off if repairs aren't feasible.
- Warn attendees of known dangers clearly and conspicuously.
- Ensure compliance with all permits, safety codes and local ordinances
- Document your due diligence.

Liability waivers can provide strong legal protection, but NOT when they conflict with the law. Cities and event organizers must recognize where waiver protections end, and legal obligations begin. If the duty exists in statute, no signature can erase it.

As Police Unity Tour riders are about to start their journey to honor the fallen, this Training Bulletin serves to remind us that with every public event comes a duty - not just to the cause, but to the safety of those who ride for it.

Stay Safe and Stay Informed! *



Fair & Equitable Distribution Of 3rd Party Recovery

The California firefighters and California peace officers provide unlimited protection to the public. The protection they provide places the peace officers and firefighters in numerous situations of high risk and harm to them.

Scott O'Mara

Law Offices Of Scott A. O'Mara

here are work situations where the cause of the industrial injury is by a third-party other than the employers, but in a work situation. This can be a common factor for firefighters and police officers responding to auto accident, safety protections, fires, arresting suspects, transportation of the injured public to a hospital.

The safety officers (firefighters/peace officers) may have additional remedies to assist and protect themselves in the form of a civil law suit against the harmful party causing injury. The California Supreme Court and the California Constitution states the injured worker has the right to have medical care to cure or relieve the effects of the job-related injuries, and this obligation is one that is placed upon the employer.

Parallel to this obligation that the employer has to protect the safety member, there can be additional remedies that the worker may have if a third-party other than the employer is a factor in the situation that has caused harm to the safety member. The California employer also has additional mechanisms to shift some of their economic responsibilities by exercising subrogation rights. The employer use of the subrogation system can be a shift of the employer's responsibility to provide medical care to cure or relieve the effects of the injury to the worker. The employer's use of the subrogation system can be a legal maneuver to shift all of the employer's responsibility to provide medical care to cure or relieve the effects of the injury to the workers in the recovery that was obtained from the worker's civil law suit against the entity causing the harm.

Some injuries cause high level of harm to the safety workers that go beyond the parameter of workers' compensation system, and retirement system. When this develops it may take many years for the full impact of injury to happen. The additional protection the injured worker (firefighter/ peace officer) can obtain is through a civil law suit against the party causing the harm. The current unlimited subrogation legal maneuver gives the employer the ability to shift all current costs and future costs. This maneuver undermines the firefighter/peace officer's ability to be protected against these serious damages. The employer is mandated by the California Constitution to provide medical care to cure or relieve the effects of the injury.

In some situations of the job-related injury there can be parallel litigation ongoing; one, the workers' compensation benefits and/or civil litigation



"The current unlimited subrogation legal maneuver gives the employer the ability to shift all current costs and future costs. This maneuver undermines the firefighter/ peace officer's ability to be protected against these serious damages."

FAIRNESS IN HEALTH

against the party causing the harm. This civil litigation can be both by the injured worker and/or the employer.

The key factor in the workers' compensation system is the requirement of medical care to cure or relieve the effects of the injury. The care can be lifelong medication, can be surgery, physical therapy, and placement of the injured worker into a care facility on a lifelong basis.

Medical care does not have limitations as to the date of injury and the need for medical care. Medical care may be something that is not needed for 5-20 years from the date of injury and is not identified until a significant amount of time has passed and the development of the need for care emanates from the job-related injury. The medical care to cure or relieve the job-related injury is a paramount provision of protecting those that protect us. In addition, there is compensation that the worker can receive in the workers' compensation system, and potential compensation from pursuing the third-party cause of action.

Legislation is being offered through Senate Bill 487 by Senator Grayson that recognizes the uniqueness of the work and protection that firefighters and peace officers provide to our society. This legislation encompasses the concept that medical care is to cure or relieve the effects of the injury, and there should be no fair justification to allow that to be washed away through subrogation procedures that the employer may try and use against the firefighter/peace officer.

The legislation Senate Bill 487 recognizes the uniqueness of the firefighters and peace officers and the high level of risk and harm to them. This legislation provides guidance as to the amount of compensation that the employer can garner from exercising third-party rights to recover by usage of the subrogation system. The employee shall receive no less than two-thirds of the third-party defendant's liability insurance policy, or coverage. This guidance as the Senate

This legislation, Senate Bill 487, protects the people that are protecting us. It does allow some reasonable compensation to the employer for the expenses that they have paid, but places a reasonable direction on the employer/carrier for reimbursement for ongoing medical care and costs the same.

Bill 487 states is intended to reflect a fair and equitable

The legislation which establishes the two-thirds rule states the employer shall have no right to assert any credit or offset against future medical compensation benefits owed to the employee. Once the resolution has been entered into as to the compensation to the worker, the employer can garner from a third-party one third of the damages. The twothirds rule governs the payment to the worker. share of the recovery in light of the injured worker's total damages, attorney's fees, and costs of the suit, and shall be deemed exclusive of any lien or offset by the employer.

This mandate of removing the employer's ability to seek unreasonable

compensation beyond the one-third collection protects the firefighter/ peace officer.

The legislation Senate Bill 487, establishes the one-third rule and the two-third rule. Senate Bill 487 state the employer shall have no right to assert any credit, offset or denial against future medical care compensation of medical benefits. Without this specific protection language the employer could attempt to seek credit beyond one-third of the net recovery.

As stated, the future medical care is to cure or relieve and can be expansive. If the injured worker had side-effects from a medication, that could become the responsibility of the employer for the job-related injury. What may appear to be a simplistic injury may be one that evolves to a more complex medical situation that requires more surgeries, hospitalizations, and/or dependency on treatment for lifelong medical care in a facility.

This legislation, Senate Bill 487, protects the people that are protecting us. It does allow some reasonable compensation to the employer for the expenses that they have paid, but places a reasonable direction on the employer/ carrier for reimbursement for ongoing medical care and costs the same. Senate Bill 487 is specific that it is to reflect a fair and equitable share of the recovery in light of the employee's total damages, and the possible need of expanded medical care.

The legislation proposed is one that is meaningful and does not discourage the governmental entities whether that is the State, City, County or other subdivisions from obtaining employees that will do the work of a firefighter and peace officer. We are protecting the firefighters and peace officers and ensuring that there is an equitable distribution of the monies obtained from a third-party law suit. The legislation is much needed and does provide protection to us as a society. *****

Denial Or Limits On Medical Care Done 87.3% By Ghost Doctors

The State of California Department of Industrial Relations (DIR) issued a report on 04/08/2025. The report studies the workers' compensation format that evaluates requests for medical care by the treating doctor for the California injured worker.

Scott O'Mara

Law Offices Of Scott A. O'Mara

he process is where the treating physician who knows the patient and has treated the patient issues a required Request for Authorization (RFA). The RFA is sent to the adjuster of the workers' compensation case and in the vast majority of situations the adjuster is mandated to send the treating doctor's RFA to an outside vendor. The outside vendor is called Utilization Review (UR). These doctors never see the patient and based upon their review and alleged understanding of the request by the treating doctor, they will grant, deny or limit the medical care that is sought.

When the denial or change of the request by the treating doctor who knows the patient is made, the treating patient has very limited options. The options that are set forth by the California Labor Code are that the worker will request that the denial by the non-seeing doctor is appealed (to another non-seen doctor).

This appeal is a meaningless appeal because it then goes to another group of doctors called Independent Medical Review (IMR). The IMR doctor never sees the patient, nor is anyone allowed to know who the IMR doctors are. If the IMR doctor makes a determination that either limits or denies the medical care, in essence the worker has no right to have a meaningful appeal.

In the past if there was a denial of medical care by the adjuster, or any vendor that the adjuster or insurance company would use or the employer, the worker had the right to go in front of a Judge and present evidence of what the treating doctor who knows the patient, and has seen the patient, states. In addition to that, there was the testimony from the Applicant; this has been removed and has been removed through the UR/IMR process.

The new study of 04/08/2025 by the Department of Industrial Relations reviewed the denial and limits on medical care by the IMR Company. In the report they are reviewing the work of the IMR Company which is called Maximus Federal Service Incorporated. In the review of Maximus' work of 2024 it was found that 141,621 decisions were reviewed by this outside company Maximus Federal Service Incorporated. Again, the outside company Maximus Federal Service Incorporated is the company that does the Independent Medical Review. Is there any independence about their medical review?

The recent 2024 study has determined that this outside corporation, Maximus, who employs doctors that do not see the patient nor their names released, has made reviews of the



"The concept that this is an objective system, and one that is designed to expedite access of medical care, is incorrect."

LEGAL CORNER



request by the treating doctor of 87.3% of treatment that has been requested by the real doctors, (not by the ghost doctors that do not see the patient such as the UR or IMR doctors).

This continuation failure of the system has shifted the burden away from the responsibility of workers' compensation to cure or relieve the effects of the injury to either the worker using their own health plan or the worker incurring the cost.

The concept that this is an objective system, and one that is designed to expedite access of medical care, is incorrect. The system of UR/IMR has been designed in such a way to encourage workers to give up their entitlement to lifetime medical care, or medical care for work-related injuries.

There are no checks and balances that are available. The attorney cannot take the deposition of the UR or IMR doctor. In addition, the UR/IMR doctors do not have a realm of accountability. The UR/IMR doctors have a cloud of protection that encourages them to catch and release, they are not subject to medical malpractice review.

The study that was completed in 2024 of the UR/IMR process is consistent with other studies that show a very high level of denial, and no accountability. There are no checks and balances that are available. The attorney cannot take the deposition of the UR or IMR doctor.

The California Workers' Compensation Institute had its 61st annual meeting at the end of March 2025. At the 61st annual meeting, which was held in Sacramento, the Chief Operating Officer, Gideon Baum, anticipates that the legislative session in 2025 is going to look a lot like the session of 2024.

There were some changes made in 2024 that were needed. What this requires is that the various groups that represent California workers' be in a position to pass to various legislators the much needed changes that are required to make the workers' compensation system functional.

The dysfunctions that have occurred, and continue to occur, have been in existence since legislation of Senate Bill 899 on 04/19/2004, and Senate Bill 863 signed on 09/20/2012.

The opportunity to create a usable system again is coming forward to the legislative bodies to mandate that the process of UR and IMR be subject to judicial review, and elements of possible penalties. Also, UR/IMR doctors must be subject to the basic concept of medical malpractice if they do not meet minimal standards.

An opportunity for creating a better system that is accountable and reliable is now coming forth with a new Governor that will be elected in the future. New State Senators elected in the future, new Assembly people elected in the future that have the power, and position to establish legislative changes, must be made aware of the failures and reasons for same and changes needed.

Finally, the study of 04/08/2025 that is provided by the Department of Industrial Relations (DIR) shows how these medical companies of IMR and UR contain/control costs at the expenses and violations of the California Constitution which states that medical care for job-related injuries is to cure or relieve the effects of the injury, because there is no right to present evidence to a Judge by deposition of the IMR/ QME doctors, and testimony of the injured worker. *****

PUZZLERS



June Sudoku

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Independence Veterans Fourth Parade History Earhart

Fireworks Picnic

Barbecue

SEARCH & WIN!

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Print this page, write the page numbers you found the fireworks in the box on the right, and email it to taylor@rcdsa.org.

Winners will be mailed an RSA Challenge Coin!



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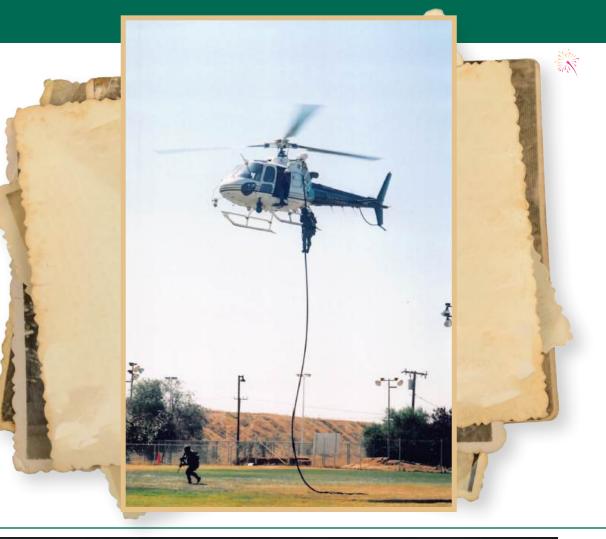
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THROWBACK



Take a look back in time to spotlight our law enforcement heritage. The APB highlights an image each month.

Have a photo of your own you want to feature? Send it to Julie Kelley at julie@rcdsa.org.







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IN MEMORY



JUNE REMEMBRANCES



Randy Robert Lutz EOW: June 22, 1989



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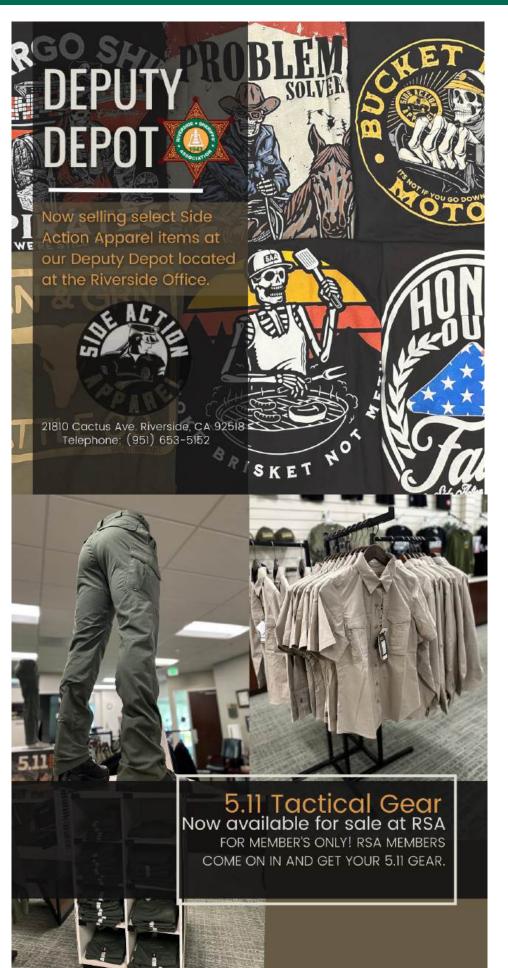
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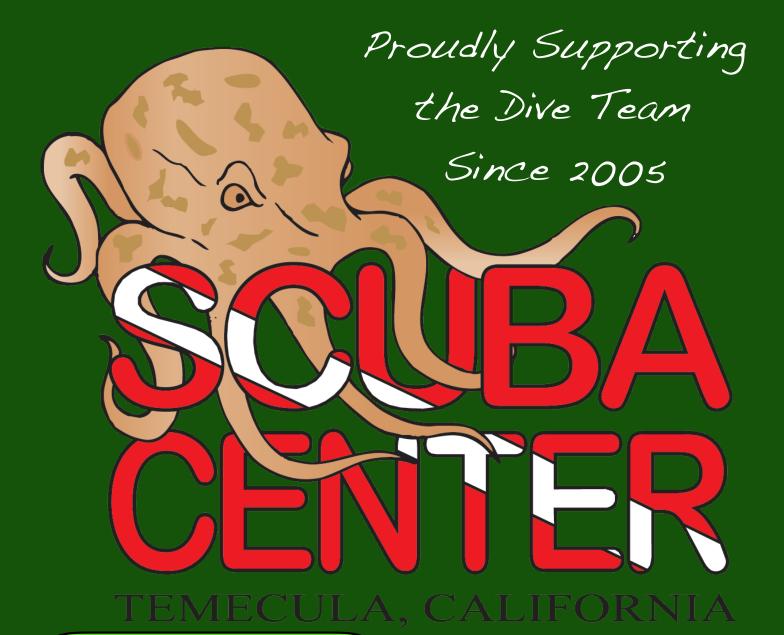
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To access the news & information center members are required to log on and register by clicking on the "RSA Members Only" link then follow the instructions. Once registered members will also be able to update their own on-line profiles at anytime (email addresses, user name & password, etc). Members are urged to keep their information current at all times to avoid missing important updates from the Association.

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Workers

Compensation

Julie Kelley Administrative Assistant II

Patrick Biggers

Senior Labor

Representative

Manager

Adminstrative Assistant II



Labor



Lauren Driffill Benefits Manager





Finance Manager

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Dave Drexler Wellness



Mary Arrizon Government Affairs Manager



Frank Anderson

LDT Chief Of Ops.

& Finance Dir.

Taylor Bogstad





Mike Stone RSA/LDT General



Robert Peebles Chaplain





Representative I



Kelly Buell















Multimedia Manager

Maryann Barbaro Administrative Assistant I







Cassidy Anderson Office Assistant I













Lester Harvey

Representative I



Events & Fundraising

Marlyn Kerbs



Tjosaas-Moore Administrative



