

All Points



BULLETIN

Celebrating 79 years of serving those who serve others



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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 2022 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 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.)

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RSA Benefit Trust News

Body Scans And Help With Retirement Medical Expenses

By Bill Young
RSA President



I have some exciting news coming from the RSA Benefit Trust. The Trustees have entered into a

contract with Body Scan International to provide body scan/CT scans on-site at the main RSA Office. The scans will be offered to regular RSA members for a copay of \$140.

All other members (retirees, non-enrolled spouses, management members, and PSU) of RSA will be eligible for our negotiated discount rate of \$1,140, which is a savings of over 40% from the standard retail price of \$1,995. While a substantial cost, it is priceless if it helps save your life or the life of someone you love.

The scans will be done in the parking lot of RSA, one week a month (Monday-Thursday), starting November 7, 2022. To schedule your scan, call (877) 274-5577. After the scan is complete, you will schedule a follow-up visit to review the results. This scan has had many success stories, so please call, and take advantage of this benefit.

In addition, the Benefit Trust has increased the amount of money they have the County put into a healthcare VEBA in your name. The Benefit Trust is now putting \$80.00 a month into this account to help with your medical expenses in retirement (to include helping with your medical premiums). This account is very beneficial to each of you, as the money is yours and

"The scans will be done in the parking lot of RSA, one week a month (Monday-Thursday), starting November 7, 2022."

goes with you no matter what you do with your law enforcement career. The Benefit Trust will continue to find ways to increase the amount of money being placed into this account to help you and your family in retirement.

On the premium front, your premiums for this year will not increase, and copays will decrease due to the Benefit Trust decision to hold and absorb the premium rate increases. Members in Anthem plans will be paying the same premium rate as they did a decade ago! This is a tremendous benefit considering the soaring medical costs, and this is a benefit not enjoyed by any other County bargaining unit. Further, there will be no changes to our dental or vision plans.

POLICE OFFICER'S RECORDS & PUBLIC DISCLOSURE

Before January 2019, access to peace officer records was only permitted through a Pitchess motion. Then, Senate Bill 1421 amended Penal Code sections 832.7 and 832.8 to require disclosure of certain serious misconduct records under the California Public Records Act (CPRA) if they had been sustained after the opportunity to appeal. The legislation did not address circumstances

wherein an officer resigns before the completion of an investigation. Effective January 1, 2021, Senate Bill 16 expanded the definitions of serious misconduct and required the disclosure of such records if the officer resigns before the completion of the investigation.

As a result, certain types of peace officer personnel records became subject to disclosure pursuant to a California Public Records Act ("CPRA") request. Shortly after the effective date of SB 1421, Kern High School District received CPRA requests for such records from several sources, including news agencies. Upon receipt of these CPRA requests, the District notified Jerald Wyatt, a police officer it previously employed, that it identified responsive documents in his personnel file.

During Mr. Wyatt's employment, an internal affairs investigation was opened into allegations against him. However, by the time the investigation was completed, the District no longer considered Mr. Wyatt an active employee. When Mr. Wyatt requested access to his personnel file, he discovered among other things, a document listing two sustained findings for "Misuse of



In light of the Fifth District Court of Appeal's decision in Wyatt v. Kern High School, a public agency's obligations when faced with a CPRA request may depend, in great part, on whether a finding was "sustained," within the meaning of applicable law, and the timing of the request.

Continued

[the California Law Enforcement Telecommunications System]" and "Dishonesty." Mr. Wyatt claimed that he was not notified of these findings. Under SB 1421, records relating to a peace officer's sustained findings of certain dishonesty-related misconduct are disclosable under a CPRA request.

Upon receipt of the notification, Mr. Wyatt filed a petition for a writ of mandate, temporary restraining order, and preliminary injunction to enjoin the District from producing documents in his personnel file in response to the CPRA requests. He argued that the records at issue did not relate to "sustained" findings (as the term is defined in Penal Code section 832.8, subdivision (b)) because he was never notified of such findings, and did not receive an opportunity to appeal administratively. The case ultimately made its way to the Fifth District Court of Appeal.

Looking at the legislative history of SB 1421, the appellate court found no indication that the Legislature considered a situation such as Mr. Wyatt's – that is, a situation where sustained findings were made *after* a peace officer's separation from employment. Under these circumstances, California courts would have to guess between two equally plausible outcomes – that the Legislature would have determined that the records are disclosable or, just as likely, that

it would have concluded that a peace officer's privacy interests prevail in the absence of notice and an opportunity to appeal administratively. Refusing to engage in guesswork, the appellate court found that the records at issue were *not* disclosable under SB 1421.

The appellate court's analysis did not end there, however. The Fifth District acknowledged that, pursuant to Senate Bill 16, which expanded upon SB 1421 and went into effect on January 1, 2022, "Records that shall be released pursuant to this subdivision also includes records relating to an incident specified in paragraph (1) in which the peace officer or custodial officer resigned before the law enforcement agency or oversight agency concluded its investigation into the alleged incident." The appellate court expressed no opinion as to what the outcome of CPRA requests for the records at issue received on or after January 1, 2022 might be.

In light of the Fifth District Court of Appeal's decision in *Wyatt v. Kern High School*, a public agency's obligations when faced with a CPRA request may depend, in great part, on whether a finding was "sustained," within the meaning of applicable law, and the timing of the request. If a CPRA request seeks records of sustained findings *as to which a peace officer did not receive notification or an opportunity to administratively appeal*, such records are not disclosable under SB 1421 if

the request was received on or before December 31, 2021. Whether such records are disclosable under SB 16 if the request was made on or after January 1, 2022, is an open question. Wyatt is now an investigator for the Kern County District Attorney's Office.

2022 LEGISLATIVE SESSION OVERVIEW

The official signing period for Governor Newsom to act on all legislation ended September 30 at midnight, marking the final deadline and signaling the end of the 2022 Legislative Session. Thankfully, the RSA and our advocates in Sacramento were successful in preventing some seriously flawed legislation from even making it to the Governor's desk. Every major threat we faced was either defeated or drastically amended. In addition, working with advocates for Chiefs and Sheriffs, our Sacramento team was able to secure funding for major priorities such as officer wellness, various task forces, victims' compensation, and retail theft operations.

Below is a brief list of some of our major accomplishments this year:

- SB 1000: Radio encryptions – defeated
- SB 1038: facial recognition ban – defeated
- SB 1389: prohibition of traffic stops – defeated



“Thanks to coordinated lobbying efforts, AB 2644 was narrowed significantly, including limiting its application to individuals under 18 years of age. However, AB 2644 still contained broad and vague prohibitions.”

Continued

- SB 1273: removing mandated reporting of school threats – defeated
 - SB 1021: lowering DUI penalties – defeated
 - SB 519: decriminalizing hallucinogens – defeated
 - SB 57: legal drug injection sites – vetoed
 - SB 299: compensation for criminals – defeated
 - SB 300: sentence reduction for violent felons – defeated
 - SB 937: sanctuary state for violent felons – defeated
 - SB 1464: mandatory enforcement of health orders – defeated
 - Officer wellness funding - \$50 million secured for targeted local programs
 - Officer wellness training - \$5 million secured
 - Retail theft task forces – over \$500 million secured for various programs and prosecutions
 - Internet Crimes Against Children Task Force - \$5 million secured
 - CalOES Grants - \$25 million secured
- However, despite these successes, several bills were signed last month that impact public safety. Below are two new laws coming in 2023:
- Limits on interrogation tactics involving juveniles:** Assembly Bill 2644 (Holden) was one of the bills that law enforcement labor and management associations opposed throughout the legislative session. Initially, the bill would have completely limited using any information not provided by the suspect in an interrogation of individuals under 26 years of age. Thanks to coordinated lobbying efforts, AB 2644 was narrowed significantly, including limiting its application to individuals under 18 years of age. However, AB 2644 still contained broad and vague prohibitions against using “psychologically manipulative tactics” that include “maximization and minimization and other interrogation practices that rely on a presumption of guilt or deceit.” We remained opposed to AB 2644, but given existing law already requires a juvenile to consult an attorney before waiving Miranda Rights and cooperating in interrogations (as such, in most cases, these individuals are not

cooperating), AB 2644 will only have a minor impact on current outcomes.

Limits on pedestrian stops:

Assembly Bill 2147 (Ting) would “prohibit a peace officer, as defined, from stopping a pedestrian for specified traffic infractions unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human power.” This was a reintroduction of a bill defeated the previous year but narrowed enough to allow it to garner the support needed to pass this year.

SHERIFF'S PICNIC

We had our annual Sheriff's Picnic on Saturday, October 15, at Diamond Valley Lake. This year's picnic was a great success, despite the bad weather. Those who attended were treated to great food, cheap beer, and an even better concert put on by Rodney Adkins and Rose Falcon. It was great to see so many Department members out with their families, enjoying a day centered around family and friends. This year leaves me ready for next year, and I hope to see you there.

As always, stay safe out there and help ensure your partners go home safe. ★



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.

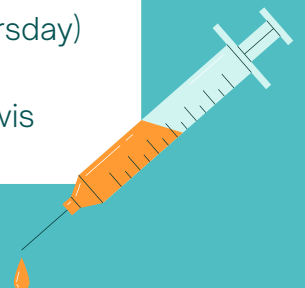
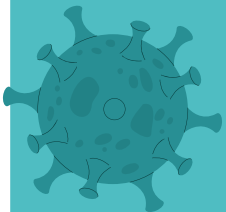
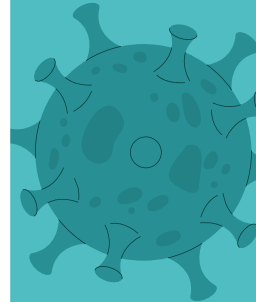
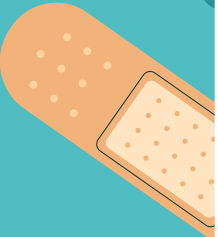
Using state-of-the-art mobile CT technology, you will receive a full 3-D visualization inside your body followed by a complete physician consultation. This is a non-invasive exam that provides a comprehensive, confidential look inside your torso to early-detect, or rule-out, “silent” lesions and anomalies.

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





Riverside Sheriffs' Association
ELECTION VOTER GUIDE
 VOTE TUESDAY, NOVEMBER 8TH

PLEASE JOIN US IN SUPPORTING
 THESE CANDIDATES, PROPS, &
 MEASURES..

US REPRESENTATIVE:

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CALIFORNIA SENATE

Kelly Seyarto
 District 32

CALIFORNIA ASSEMBLY:

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 Smith**
 District 34

Ian Weeks
 District 36

James Ramos
 District 40

Greg Wallis
 District 47

Bill Essayli
 District 63

Matt Rahn
 District 71

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 District 5

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Jaime Hurtado
 Moreno Valley Mayor

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Greg Newton
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Evan Trubee
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Mike McMinn
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SUPERIOR COURT JUDGE:

Natalie Lough
 Seat 4

SCHOOL BOARD:

Melinda Young
 Val Verde, Area 3

Cynthia Lemus
 Val Verde, Area 4

Julio Gonzalez
 Val Verde, Area 5

Gilbert Espinoza
 Morena Valley, Area 3

Melissa Ragole
 Jurupa, Area 5

Chris Raahauge
 Corona Norco, Area 2

Jeremy Parsons
 Hemet, Area 7

PROPOSITIONS:

Oppose Prop 27
 Legalize Sports Betting on
 American Indian Lands
 Initiative

Support Prop 26
 Corporate Online Gambling
 Prop

MEASURES:

Yes on Measure H
 City of Hemet

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At National University, we're proud to support public safety professionals that protect our communities and help them achieve their goals.

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- 25% scholarship for spouses and dependents
- Accelerated BS in Criminal Justice Administration, Homeland Security, and Public Administration when credit for prior learning, such as CA POST Police Academy, is applied

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NOVEMBER 18TH

9:00 AM - 2:30 PM

Pre-Retirement Seminar

Lunch will be served to those who attend.

40 spots are available!

Contact Cassidy at (951) 653 - 5152 to RSVP

21810 Cactus Avenue
Riverside, CA 92518

✓ County of Riverside

✓ RSA Benefits Trust

✓ CalPERS

✓ Law Offices of Matt Hill

✓ Nationwide

✓ Valic

Who doesn't like to play a little cornhole? Ok, maybe a lot of cornhole, over 57 teams came out to our **Battle of the Bags 3rd Annual Cornhole Charity Tournament** benefiting the Riverside County Deputy Sheriff Relief Foundation. The event took place on Saturday, October 8th at the Riverside Sheriffs' Association Riverside location.

It was a sunny and hot day, but the players showed up and brought their best game. It was great to see the community come together for a great day of cornhole, educate the community about the Riverside County Deputy Sheriff Relief Foundation, and raise funds to help continue to support those which the Foundation is honored to assist.

This event wouldn't have been a success without teamwork! Thank you to Logic Cornhole for officiating the event, thank you to the volunteers and staff of the RSA Rollin Smokehouse & Chowshack, and thank you to RSA events director, Lorena Pizano and staff! Last but not least, thank you to the players, teams, and community that came out to support our mission to "Serving Those Who Serve."



◆ Placing teams:

A BRACKET:

- Bubba (Michale Blucher) & Juice (Julius Reyes) got 1st in A bracket
- Nate Long and Tim Barry got 2nd in A bracket
- Travis Clark and George got 3rd in A (Evolution)

B BRACKET:

- Jessie Sanchez & Rick Myers 1st
- Jordan & Tyler O got 2nd (Kings of the South)
- Bag 'em & Tag 'em got 3rd

C BRACKET

- Marissa U & Yesenia V 1st place (Sweet and Sassy Sisters)



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\$12.3
MILLION

for five LAPD recruits who sustained injuries in the Academy and were forced out

\$10
MILLION

against the landlord of a child who suffered speech delay and speech issues as a result of lead exposure at his apartment

\$5.9
MILLION

for several LAPD Motor Officers who were retaliated against for refusing to follow a ticket quota

\$5.3
MILLION

for the first African American member of the LAPD Bomb Squad who was harassed because of his race

\$4.3
MILLION

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

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Retaliation | Harassment | Discrimination | Personal Injury

THE 2022 SHERIFF'S PICNIC

The 2022 Riverside County Sheriff's Picnic drew 7,100 attendees for a day of fun on October 15. A wide range of vendors were on hand including food trucks, financial planning, apparel, subscription services, and more.

The day was a good showcase for RSO teams, including K-9's, Bomb Squad, Mounted Enforcement Details, Search and Rescue, and more.

Crowds were treated to live music with performances from up and coming country music star Ruthie Collins as well as country music star Rodney Atkins and his wife Rose Falcon.

RSO hosted a live auction and raffles.



THE 2022 SHERIFF'S PICNIC





**GENERAL
REGISTRATION
OPENS
SEPTEMBER 18,
2022 @ 4:30 PM**

3RD ANNUAL WEST END CHARITY GOLF TOURNAMENT

NOVEMBER 11, 2022

JOURNEY AT PECHANGA

THE RIVERSIDE SHERIFFS' ASSOCIATION IS CURRENTLY SEEKING SPONSORS FOR ITS 3RD ANNUAL WEST END CHARITY GOLF TOURNAMENT. SPONSORSHIP OPPORTUNITIES AVAILABLE UNTIL FRIDAY SEPTEMBER 30, 2022



lorena@rcdsa.org



rcdsa.org/golf-tournament

An Election Year Twist

The Governor Signs Some, But Vetoes, Other Bad Bills

Ryan Sherman
Director,
Government Affairs



The signing deadline has passed and with it the end of legislative action for the 2021-2022 session. Each year the legislature passes and the governor signs various bills that address serious topics in the law enforcement / public safety world and this year was no different.

Legislation dealing with fentanyl, catalytic converter theft, domestic violence, retail theft, crime victims, human/sex trafficking, gun violence, etc., were all signed into law. This is good news.

However, some insiders view the enactment of many of these new laws as being akin to putting lipstick on a pig. Crime is still a big problem in our state, but some half-measures give the appearance that it is being taken seriously.

For example, about a dozen bills dealing with fentanyl were introduced at the beginning of the year. Many of these proposals sought to create or enhance existing penalties for fentanyl dealers to treat them the same as those who deal other dangerous narcotics like heroin and meth. Those measures failed. What passed? Legalizing fentanyl testing strips to prevent unintentional fentanyl ingestion and having naran on college campuses. Human/Sex trafficking? Did the legislature



// Legislation dealing with fentanyl, catalytic converter theft, domestic violence, retail theft, crime victims, human/sex trafficking, gun violence, etc., were all signed into law. //

increase sentences for those who traffic people for money? Did they establish, fund and staff a statewide task force of expert investigators and prosecutors to crack down on this scourge? Nope. Instead, the legislature passed and the governor signed bills to require hotels and motels to post flyers with information about services available to those who are being trafficked. Definitely baby steps here.

Cynics contend that these bills only get passed during an election year so lawmakers in Sacramento can claim that they are taking action and being tough on crime. They may be right. The truth is that these type of “baby step” bills are routinely enacted.

The harder truth is that more than baby steps are needed to fix many of California’s very large problems.

Making matters worse, the governor signed a batch of bills last month that will further weaken public safety while ensuring that the job of our state’s law enforcement professionals is much more difficult to accomplish.

One new law makes it easier for convicts to challenge their sentence if they felt that they were discriminated against or if anyone they encountered in the criminal justice process said or implied something that could be perceived as racist or discriminatory. Another law greatly expands the number of inmates that qualify for medical



parole, even if their condition is not life threatening. Expanding who can claim insanity defense, limiting what officers can say to drivers during traffic stops and sealing the records for most felonies were all signed into law.

These are the typical bills we've come to expect our state lawmakers to pass over the last handful of years. But 2022 ended up being much different.

Among the more curious results from the governor's desk this year were the numerous public safety-related bills that were *vetoed* by California's chief executive.

Many in the law enforcement and lobbying circles in Sacramento breathed a heavy sigh of relief when these vetoes were announced. If enacted, these bills would have made California's troubled criminal justice

In no way do the governor's actions here make up for the serious damage caused by the many anti-law enforcement bills he has signed over the last four years.

system more expensive, less rehabilitative and much more dangerous.

Gotta give credit where credit is due. The governor was under intense

pressure to sign AB 2632, a bill that would have eliminate the use of solitary confinement in most cases. Newspaper editorial boards were in near unanimity in their support for the bill's enactment. The ACLU and other pro-criminal reform groups launched a statewide digital media campaign demanding the governor sign the bill. They were relentless, yet he refused to relent.

In no way do the governor's actions here make up for the serious damage caused by the many anti-law enforcement bills he has signed over the last four years. Still, we are grateful and truly appreciate of his veto of this and the other extremely misguided and dangerous bills.



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- ☑ Lower cost of living
- ☑ Green open spaces
- ☑ Less traffic
- ☑ Less crime

**Forbes Home 4/27/22
Top 10 Relocation States**

- | | |
|-------------------|--------------|
| 1. Texas | 5. Georgia |
| 2. Florida | 6. Tennessee |
| 3. South Carolina | 7. Nevada |
| 4. North Carolina | 8. Maine |
| | 9. Delaware |
| | 10. Idaho |

Contact Us

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Here are some of the criminal justice-related bills vetoed by the Governor in 2022:

- Length of probation for all juvenile offenders capped at 6 months. No mandatory conditions of probation, restitution or fines permissible. AB 503
- Require sheriffs to track and report recidivism of county inmates.
- Require all monies from canteen sales to go to inmate services only. AB 1782
- Solitary confinement of more than 15 days prohibited. No solitary confinement for anyone under 26 or over 59 - no matter what. Kill your cellmate or correctional officer? Get 15 days in solitary, then back out on the yard with your homies! AB 2632
- Free community facilities for drug users to use/inject heroin, meth, etc. "Patients" can't be arrested going to or leaving these "shooting galleries" where users and dealers will congregate near entrances. SB 57
- Significantly increase the amount of "gate money" given to released convicts. SB 1304
- Create procedures to ensure inmates are paid a "living wage" (by taxpayers) for cleaning up after themselves. SB 1371

California is better off with these bills getting vetoed. We hope for more such vetoes in the future.

Until next time, be safe (and don't forget to vote!) ★



DISCOUNT CODES FOR RSA MEMBERS

preferred vendors

RSA offers our members resources, special discounts & rates, and more! Take advantage of discount codes being offered by our preferred vendors listed below. Go to rcdsa.org -> RSA members only -> Ticket information -> scroll down to discount codes.

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Go to rcdsa.org to get the codes to shop these brands.

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The Push Should Be For The Best Medical Care

Home Medical Care: Good Or Bad?

By **Scott A. O'Mara**
Law Offices Of Scott O'Mara

Workers' Compensation was established to provide workers who have job-related injuries the right and the opportunity to receive the medical care they need to cure or relieve the effects of their injuries. Unfortunately, however, many changes have occurred which place an encumbrance upon workers attempting to obtain that care. These changes are discussed in the attached newsletters (Law1199.com Newsletter 2022 Issue # 8 and Law1199.com

Newsletter 2019 Issue # 3).

New corporate medical platforms are developing which can manage and impact the medical care provided to injured workers to cure or relieve the effects of their injuries. For example, CVS Drugstores is a corporate entity under the name of CVS Health Corporation. It is one of the largest health care companies, if not the largest, and it has taken several expansive moves to acquire health providers and bring them within the corporate entity of CVS.

Further examples include the following:

- (1) Walgreen, operating under the corporate name of Walgreen

Boots Alliance, has finalized a deal to purchase CareCentrix, Inc., another home health care platform. This action gives Walgreen a large role in the provision of home health care.

- (2) United Health has agreed to purchase LHC Group, Inc. — one of America's largest home health firms — for about \$5.4 billion.
- (3) Humana, Inc. agreed last year to take full control of the home health provider known as Kindred at Home.

CVS Drugstores is now in the process of acquiring Signify Health Insurance for a purchase price of \$8 billion dollars. The purchase of Signify Health Insurance follows the plan of CVS Drugstores to acquire approximately 10,000 doctors under contract with CVS. CVS Drugstores also has purchased and controls AETNA as of 2018. These actions expand the role of CVS as a major health care provider which has doctors working for them. No longer are they just a drugstore which sells pharmaceutical products.

Currently, Signify Health Insurance doctors go to patients and provide analysis and treatment. According to information provided, Signify Health Insurance doctors currently provide care for more than 2,500,000 patients in the form of home health treatment.



The expansion of CVS Drugstores by purchasing Signify Health will be a major additional source of income for CVS pharmaceutical stores. In all likelihood, the doctors working for CVS Drugstores will send their patients to CVS to obtain their medications.

The impact of this corporate expansion by CVS — and other firms, as noted above — on injured workers' access to medical care is a subject which needs to be reviewed and discussed. Corporate goals may not be in line with the goal of providing proper and appropriate medical care for injured workers. This is not to say that many corporate entities have not provided good care, but a review of the current situation — especially based upon the actions of such corporations as CVS — is definitely worthy and demanding of follow-up.

The current Workers' Compensation system needs to be revised and updated — not for profit, but to

fulfill the goal of providing proper and appropriate care for injured workers to cure or relieve them of the effects of their injuries.

The power of CVS and other major corporate entities has become a significant factor which will impact the medical care needed by injured workers to cure or relieve the effects of their job-related injuries. Therefore, the concern regarding the growth and expansion of these corporate entities is not simply an effort to review the profits they are making as a result — the concern is the need to create an awareness as to the potential impact of these corporate takeovers on injured workers.

Many unions and employee associations have their own medical plans and should be aware of these takeovers and keep in mind the necessity of medical coverage to provide protection for injured workers.

The current Workers' Compensation system needs to be revised and updated — not for profit, but to fulfill the goal of providing proper and appropriate care for injured workers



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Education regarding this matter is a necessity, as is education regarding the entitlement of injured workers to medical care to cure or relieve the effects of their job-related injuries — which clearly should be the driving force in this matter. Unions and associations — through their boards and their members — must have awareness and input as to the “medical takeovers” by CVS and other corporations, and they should ensure that the medical care provided to injured workers always meets the legal standard which has been established.

The push for profit is not — and should never be — the goal. The push should always be for medical care to cure or relieve the effects of job-related injuries and conditions.

Recently, the push for profit created a very disturbing situation when a doctor went after “flash money” and pled guilty to accepting more than

\$3,000,000 in kickbacks. He failed to provide the medical care needed by injured workers and destroyed his own practice — and his family as well.

The impact of corporate expansion into the realm of medical care — and its impact on providing the care needed by injured workers — is not necessarily a devastating factor, but it is clearly one which needs to be reviewed and examined by the recipients of the care provided, as well as the unions and associations directly or indirectly involved in ensuring that injured workers receive the appropriate care to which they are legally entitled when they sustain a work-related injury. There may be limits to the distance a patient must travel to receive care because of the worker’s medical condition, and the worker must be protected from the employer or carrier sending someone to “spy” on the patient while home health care is being provided. ★

The push for profit is not — and should never be — the goal. The push should always be for medical care to cure or relieve the effects of job-related injuries and conditions.

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Balanced Communication With The Doctor

By **Scott A. O'Mara**

Law Offices Of Scott O'Mara

California's Workers' Compensation laws were enacted by the legislative body to ensure fair and just treatment for California workers who incur injuries in the course of their employment.

This legislation has been enacted to provide workers with the medical care they need to cure or relieve the effects of their work injuries through their entire lifespan. The specific language guaranteeing workers access to this right is set forth in the California Constitution, Article XIV, Section 4, which specifically states:

[A] complete system of workers' compensation includes . . . full provision for such medical, surgical, hospital and other remedial treatment as is requisite to cure and relieve from the effects of such injury . . .

The determination as to the need for care to cure or relieve is based upon several factors.

One is the doctor's opinions and findings regarding the job-related injury. The physician's evaluation will be based upon his or her examination of the patient, as well as statements made by the patient as to pain and discomfort and/or restrictions they believe they have — which are referred to as subjective complaints.

In addition, the evaluating doctor will use objective findings — based upon an x-ray, MRI, EKG or other objective testing, such as the configuration of blood drawn from the patient, or elements found within a urine sample.

The injured worker's description of subjective complaints is a significant element in the determination as to the type, necessity and length of care which may be needed. These complaints can have substantial importance in the doctor's determinations regarding these factors . . . as well as the credibility of the worker.

Injured workers must realize that these are not cavalier statements. They are statements which can impact their care and their access to same — potentially throughout their lifetime.

Prior to meeting with a physician, an injured worker should give some thought and preparation as to their subjective complaints to make sure the characterization they give provides a broad spectrum as to what they are experiencing relative to any restrictions, limitations, discomfort, etc. (Law 1199 – 2019 #4 / Law 1199 – 2019 #8)

Regarding subjective complaints (other than extreme medical problems), injured workers may have times when they have good days and bad days. Articulating this fact — if it is accurate — will support the credibility of the worker, as opposed to the worker who only wants to articulate their pain and discomfort without acknowledging



that they may have times when they are doing better.

Prior to being evaluated by the doctor, an injured worker — if given the opportunity to speak with his or her attorney — can share their perspective regarding pain and discomfort. If the attorney is educated and balanced, they will ensure that the worker's articulation will provide a broader view of what is being experienced, as opposed to a narrow view of only the days which are totally disabling because of pain and discomfort.

Many eyes will always evaluate the concept of subjective complaints, which will be considered not only by an injured worker's primary doctor, but also any secondary doctors who may be called in to review an ancillary problem, as well as any nurse case managers and adjusters.

Therefore, a worker's subjective complaints can prove to be paramount as to their perceived credibility, as well as their access to — or denial of — medical care.

Substantial evidence is the determining factor which allows or denies the ability of an injured worker to receive appropriate medical care. The substantial evidence is based upon full and complete reflection of a worker's injuries to his/her doctor. Substantial evidence can either make or break a case, and is the standard established by

the courts. (Law 1199 – 2019 #4 / Law 1199 - 2019 #8)

Medical care provided to injured workers is intended to cure or relieve the effects of their work injuries. It can be expanded, and some of the expansion may result from the form of treatment. If the worker takes medication for a job-related injury, and that medication cause an ancillary problem — such as dryness of the mouth, diarrhea, constipation, gastrointestinal problems, etc. — the ancillary problem (or problems) become the responsibility of the Workers' Compensation system.

Injured workers would be wise to keep a list of the medications they are taking — including both those prescribed by their doctor or other doctors, and over-the-counter medications, such as Tylenol or aspirin — and go to WebMd to research the side-effects of those medications.

The question is always this: Do any of the side-effects listed for your

medications match symptoms you are experiencing? Please be aware that any symptoms or problems caused by medication taken for a job-related injury can also be deemed to be work-related — and therefore become the responsibility of Workers' Compensation — if the symptom or problem first appeared or worsened after the medication was commenced. Therefore, if you discover after researching this matter that any of the listed side-effects of your medications do match symptoms you are experiencing, please inform the doctor of same so this information is documented, and also inform your attorney to ensure that they have filed on all the body parts and medical conditions relevant to your case.

Medical care also has an expansive element. For example, if an injured worker is diabetic and has a work-related heart condition, and the doctor opines that the diabetes is negatively impacting the heart, medical coverage extends not only to the heart, but to the diabetes as well.

Also, medical care can develop to the point where it includes not only medication, testing and surgery; it also can include such other aspects as renovation of an injured worker's living area and assistance with transportation. There are situations where the job-related injury has been a factor in causing a stroke which mandates 24-hour

Any symptoms or problems caused by medication taken for a job-related injury can also be deemed to be work-related.



care and renovation of the worker's home. In that situation, medical care is expanded accordingly to meet the worker's needs.

Ancillary to the medical care needed to cure or relieve the effects of a work injury is the interpretation as to the worker's level of impairment — and this level can be expanded. As established by law, once an award has been granted by the court establishing a level of disability, the worker has five years from the date of injury to reopen their case for new and further disability if the effects of the injury have expanded. The five-year window applies only to permanent disability; it does not impact access to medical care, nor does it limit such access. These elements in the Workers' Compensation system — medical care and level of impairment — are significant factors which require an understanding and knowledge on behalf of the injured worker. If an injured worker does not have access to these perspectives, there is a high probability that limitations will be placed upon them. (Law1199 – 2019 #1)

The reflection of subjective complaints is a very significant component in the provision of medical care and the level of impairment. If an injured worker's subjective complaints are not given broad consideration, it creates a unique opportunity for the employer to question the worker's credibility. In fact, the question of a worker's credibility is part of the training and focus which adjusters have as they look for ways to remove or limit the care which is provided to an injured worker, as well as the level of disability.

We have seen the evolution of the Workers' Compensation system to include medical provider network (MPN) lists, as well as Utilization Review and Independent Medical Review — the development of which has been beneficial to employers, and detrimental to workers.

A new step which also is being pushed is the concept of a “carve-out (ADR -- Alternate Dispute

Resolution)”. If done improperly, a “carve-out (ADR -- Alternate Dispute Resolution)” creates great risk of harm to injured workers. (Law1199 – 2019 #4 and #8)

Again, it is a necessity for workers to have an understanding that the information which will be sought from them should not be limited just to

A new step which also is being pushed is the concept of a “carve-out (ADR -- Alternate Dispute Resolution)”. If done improperly, a “carve-out (ADR -- Alternate Dispute Resolution)” creates great risk of harm to injured workers.

their bad days, but should articulate that they have both good days and bad days — a concept which reinforces their credibility. This is something that injured workers involved in a “carve-out (ADR -- Alternate Dispute Resolution)” may not grasp or understand because the foundation of evidence in a case is delayed with an attorney's

involvement. If an attorney is involved at the initial stage of a case, the attorney can share his/her concerns and thoughts, which then can be placed in an environment which is objective and addresses not just bad days, but both good and bad days, thereby creating a high level of veracity for the worker. Balanced Communication is an absolute need.

If an injured worker does not have the opportunity to discuss this matter with his or her attorney, there is a high probability that the subjective complaints will be overstated or possibly understated. If an injured worker does not acknowledge problems which are evolving, this can remove needed care.

An example would be a worker who has a very serious injury to the right leg, causing this individual to rely more and more on the left leg, and they develop problems with their upper extremities when going up and down stairs. The condition of the upper extremities can be considered a compensable consequence of the right leg injury, and the worker would therefore be eligible to receive care for the upper extremities as well. If the worker does not understand the connectivity of the injury, the treatment and the medication, it limits the care which could be received, and limits the doctor's complete understanding of the situation.

However, if the worker appreciates the connectivity of these factors, it expands the care which he/she can receive.

For job-related injuries, medical care is a significant factor in leading to a good quality of life.

The relationship and the balanced communication the patient has with their physician is one which can provide a clearer picture as to both their current needs and their future needs. Be prepared to not overstate or understate your subjective pain or the activities you can or cannot do, or your limitations. COMMUNICATION MUST BE BALANCED. ★



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C	P	R	Y	A	B	V	E	D	S	W	N	I	G	W	I
Q	A	T	E	D	H	A	S	I	V	R	H	H	S	S	B
J	E	R	S	D	Y	P	C	O	E	J	O	P	Q	H	K
C	N	W	M	Y	I	U	M	T	I	S	T	K	T	E	S
O	I	T	F	E	Q	P	N	U	T	E	C	N	D	R	Y
F	D	E	U	H	L	A	S	P	T	B	H	F	L	I	H
S	E	V	A	E	L	K	E	N	F	O	O	C	O	F	M
K	H	S	Y	O	D	H	E	L	J	S	C	B	G	F	I
L	I	N	C	R	S	M	M	I	P	Y	O	S	I	S	S
W	A	A	V	P	L	S	A	O	D	P	L	M	R	P	K
B	J	P	W	L	P	B	D	N	H	D	A	I	A	I	B
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E	Y	K	J	T	H	G	I	N	O	N	I	S	A	C	U

Enrollment
Casino Night
Apple
Candles
Candy
Carmel

Ghost
Hot Chocolate
Jack-O-Lantern
Leaves
Marigold
Opal

Pumpkin Spice
Sheriff's Picnic
Spiders
Spooky

October Sudoku

		2	8			4		
4		5			7			3
7	8		3	9		2		5
			9			1		
	7		4	5			3	
6			1		8			4
5		1		4			8	
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9			5				7	1

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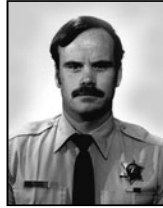
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"Greater love hath no one than this, that they lay down their life for their friends." — JOHN 15:13

OCTOBER REMEMBRANCES



Dirk Alan Leonardson
EOW: October 4, 1980



Michael David Davis, Sr.
EOW: October 24, 1988



Eric Andrew Thach
EOW: October 8, 1999



Harry Cohen
EOW: October 18, 2020

Frank Hamilton
EOW: April 9, 1895

William Joseph Rutledge
EOW: May 14, 1969

Kent A. Hintergardt
EOW: May 9, 1993

Brent Jenkins
EOW: March 18, 2003

Preston Van Buren Swanguen
EOW: December 24, 1907

William Fredrick Carter, Jr.
EOW: May 20, 1969

Mark S. Kemp
EOW: November 9, 1994

Bruce Lee
EOW: May 13, 2003

Leroy H. Tripp
EOW: April 10, 1916

Edward Michael Schrader
EOW: July 11, 1974

Michael P. Haugen
EOW: January 5, 1997

Manuel Villegas
EOW: March 19, 2007

Henry Fredrick Nelson
EOW: September 22, 1921

James Bernard Evans
EOW: May 9, 1980

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

Terrell D. Young
EOW: April 2, 2020

Theodore Crossley
EOW: September 22, 1921

Dirk Alan Leonardson
EOW: October 4, 1980

Eric Andrew Thach
EOW: October 8, 1999

Harry Cohen
EOW: October 18, 2020

Howard R. Scheffler
EOW: February 29, 1956

Michael David Davis, Sr.
EOW: October 24, 1988

Jim W. Purkiss
EOW: April 16, 2001

Julio Beltran
EOW: November 14, 2020

Roger Allen Strong
EOW: August 7, 1961

Randy Robert Lutz
EOW: June 22, 1989

John Towe
EOW: February 15, 2002

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Officer Tyler Lenehan
Elk Grove Police Department
EOW: January 21, 2022

Officer Nicholas Vella
Huntington Beach Police Department
EOW: February 19, 2022

Officer Jorge David Alvarado
Salinas Police Department
EOW: February 25, 2022

Officer Joseph Santana
El Monte Police Department
EOW: June 14, 2022

Corporal Michael Paredes
El Monte Police Department
EOW: June 14, 2022

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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.

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RSA COMMITTEES

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- 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

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The Rollin' Smokehouse is dependent on volunteers as it is not staffed with paid employees. Therefore, we are creating a volunteer list for those who want to help before events for prep and during the actual events serving or cooking.

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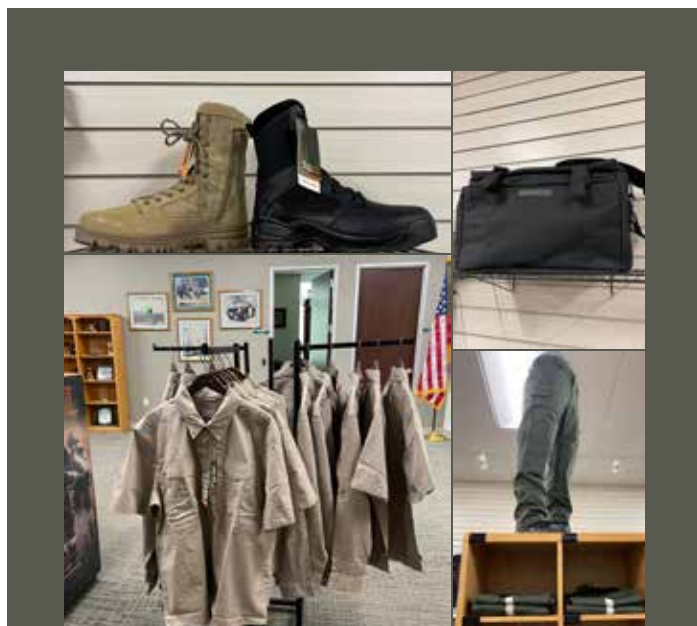
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District 4: V. Manuel Perez
 County Administrative Center
 4080 Lemon Street - 5th Floor
 Riverside, California 92501
 (951) 955-1040

District 5: Jeff Hewitt
 County Administrative Center 4080
 Lemon St.-5th floor
 Riverside, CA 92501
 (951) 955-1050

The Riverside Sheriffs' Association has deployed an integrated "members only" online news & information center to improve our ability to keep our members informed on important issues.

RSA MEMBER ALERTS

The news & information center at rcdsa.org is where members will go to view exclusive content, including negotiations and other confidential information from RSA.

To access the news & information center members are required to log on and register by clicking on the "RSA Members Only" link then following 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.

For Technical assistance please contact Juvien Galzote by email: juvien@rcdsa.org
 Monday – Friday 8am – 5pm or by calling (951) 653-5152 (800) 655-4772.

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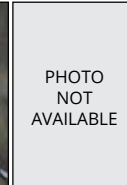
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RSA Staff And Support



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Director Of Operations



Julie Kelley
Administrative Assistant II



Connie Collins
Administrative Assistant II



Sandra Tjosaas-Moore
Administrative Assistant II



Vickie Arreola
Administrative Assistant I



Maryann Barbaro
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Lauren Driffill
Office Assistant



Sandi Lowman
Office Assistant



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Member Services Rep/Media



Lesley Garcia
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Celena Kimsey
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Jeff Byrd
Senior Labor Representative



Patrick Biggers
Senior Labor Representative



Lester Harvey
Labor Representative I



Carlos Longoria
Labor Representative I



Juvien Galzote
Member Services Representative



Lorena Pizano
Events Director



Janelle Regan
Benefit Trust Office Manager



Frank Anderson
LDT Chief Of Ops. & Finance Dir.



Mike Stone
RSA/LDT General Counsel



Muna Busailah
RSA/LDT General Counsel



Harley Broviak
Chaplain

