



California Fraternal order of Police



President's Newsletter

October 2006

Roger Mayberry, President

Page 1-Volume I Issue 3

President Canterbury Announces New NFOP Web Site

The National Fraternal Order of Police is proud to announce the unveiling of our new web site: www.fop.net. Our new web site will provide our membership with an up-to-date, easy-to-use interface. Members will be able to update their personal information at the local, state, and national levels. Our members will also be able to sign up to receive e-mail updates addressing specific issues concerning them. In addition, members will be able to sign up for a free fop.net e-mail address. Lodge Secretaries will now be able to conduct lodge business in a paperless format. Lodge negotiators will be able to determine comparable jurisdictions and draw comparisons between hours, wages, terms and other conditions of employment between similar agencies.

This exciting new development significantly improves the exchange of vital information with our members. We will continue to upgrade our web site by adding modules as they are completed. Please keep checking the web site for the latest legislative developments, labor services information, upcoming events, and other items of interest to our membership. We are: "The Voice of Our Nation's Law Enforcement Officers." Visit us at www.fop.net.

----- Know Your National FOP elected Officers



David Hiller National Vice President

National Vice President Dave Hiller was elected at the 57th Biennial Conference in New Orleans. He had been serving as the National Trustee for the State of Michigan for 12 years.

Dave has been a member of the FOP and Grosse Pointe Lodge #102 in Michigan for over 34 years. During that time he served in numerous local lodge offices including lodge president for six years. On the state level, Dave served as State Secretary for four years and served as the State Lodge President for two years. He was then elected as the National Trustee for Michigan.

Dave has an extensive background in legislative and labor related issues. He currently serves as the chairman of the Michigan Legislative Committee and over the years has successfully help pass legislation eliminating Michigan's fireman's rule, residency requirements for police and fire and legislation providing for free college education for children and spouses of slain police officers, commonly referred to as the "Hiller Bill." This legislation was proposed and passed as a result of the death of Dave's partner in 1985. Dave also serves as the senior advisor of the State of Michigan Labor Services Committee. He brings a 22 year background in collective bargaining, interest arbitration as well as grievance arbitration to the office of National Vice President.

On the National level, Dave served as Chairman of the National Site Committee for four years and also served on the Grand Lodge Marketing and Promotion Committee. When elected, Dave was the current chairman of the Grand Lodge Education Services Committee. Dave hopes to develop a college degree program on a national basis that our members can take advantage of.

Dave currently works for the Grosse Pointe Park Department of Public Safety where he has been employed for 34 years. Prior to that he worked for the Detroit Police Department for three years. He has worked in numerous assignments both in uniform and plain clothes.

Dave earned a Bachelor of Arts degree in Criminal Justice from Wayne State University in Detroit and a Masters Degree in Public Administration from Central Michigan University.

Send [e-mail](#) to National Vice President David Hiller.

CALIFORNIA STATE F.O.P. CONFERENCE, LAS VEGAS, NEVADA

September 25-27, 2006

Report by Bill Westermann, State Lodge Vice President

Our 2006 California State Conference was held this past month at the Rio Suites Hotel & Casino in Las Vegas. Approximately 115 delegates and guest were in attendance.

Special guest included our National Treasurer Tom Penozza, National 2nd Vice President Mike Taylor, National Chairman of Trustees Mike Burnett, Director of Labor Services Rick Weisman, Kentucky National Trustee Mike Hettich and Roxanne Hollis with our National Secretary's Office in Nashville.

National Treasurer Penozza gave an update on our National Web Site and informed delegates they will need to obtain new log-in registration requirements. Penozza added that F.O.P. members will now be able to access their personal data. Members now will be able to make updates on their personal information on-line.

2nd Vice President Taylor spoke about pensions, health care issues and legislation related to these matters. Pension and health care are the top law enforcement issues facing us across the nation. Taylor also updated our delegates on our National Political Action Committee. He added that there are not sufficient funds in the PAC to adequately support issues of importance to the F.O.P. If every member of the NFOP would give just \$10.00 each the PAC would have over three million dollars. One of the hardest requirements that hampers donations is requiring individual donations to be accompanied by a form filled out for each donation.

Mike Hettich gave an update for next year's National Conference scheduled to be held in Louisville, Kentucky. California will be housed at the Galt House and he added that the walk from the Galt House Hotel to the Conference Center in Kentucky was a much shorter walk than the walk from the Rio Suites Hotel & Casino area to their conference center at the back of the Rio complex. They put together a great events package for next year's conference.

There will be a steam operated paddle boat cruise scheduled for every night on the river. A concert will also be on the adjenda.

Hettich also stated that they will be introducing a new event which will be a pistol match and entries will be accepted from each state (one per state). The grand prize will be a Glock pistol.

Brother Hettich and Michael Yon, a representative with the Hylant Group, gave an update and explanation on our National Legal Defense program emphasizing that this program was created by Law Enforcement Officers for Law Enforcement personnel. He added that the program is tweaked from time to time to keep it updated with the times and needs of our officers. They gave an explanation of a new coverage related to HR218 (carrying concealed weapons out of state). This plan is offered for a price of \$50 per year and has a cap of \$15,000. He added that if a member has the other plans in place, this coverage is automatically added at no extra charge.

Rick Weisman gave an update on National Labor Services and gave a brief explanation on why this committee was formed. The National Lodge formed this committee back in 2001 and hired its first director (Weisman). Weisman stated that the committee now has seven fulltime members to include our State President Roger Mayberry.

Weisman stated that once the labor part of the new information system is up and running lodges will be able to use it for a fee to assist in bargaining. The National Web site will have information about contracts and comparable agencies information. In addition, we can also obtain and generate contracts from the system.

Board elections were conducted with incumbents returning to all but one position.

Brother Louis Altamirano announced he was not running again for the post of 2nd Vice President. Brother Robert (Bob) Reed ran unopposed for this position and was elected.

National 2nd Vice President Mike Taylor swore in the new board of directors to include each lodge State Trustee.

This year's "Member of the Year" award went to Brother Al Kaan. Brother Kaan is our State Treasurer and also serves as his local lodge President. Brother Kaan was praised for all the hard work he has done as our State Treasurer with records that are characterized by our audit committees as of the highest of standards and complete.

President Mayberry discussed our committees for the next two years and

asked that a couple of our committee chairman explain a little bit about their committees.

Brother Teagarden gave a brief explanation on the background of our Essay Committee. Teagarden stated that this is an annual event where all middle schools within the State are sent a letter and topic for their students to write about. Awards are given to students in Northern and Southern California and according to Teagarden, the response from the schools is overwhelming.

State Secretary Gary Nissen also gave some background on our Explorer Grant Committee. He stated letters go out to all the police agencies within our State with information on how to apply for grants. Hundreds of thousands of dollars have been granted to Explorer Post over the years throughout our state.

National Trustee Steve James gave

Continued page 3

Continued from page 2

an update on the 2009 National Conference for Long Beach California. Brother James stated that a majority of the contracts with the local hotels have been signed. Committees and sub-committees will be needed as we get closer to 2009. Some of our delegates for the 2007 Conference in Kentucky will be asked to make follow-ups with the various committees hosting the 2007 Conference.

Our 2006 Conference at the Rio Suites Hotel and Casino ended with a fantastic hot lunch in Buzio's Restaurant (Inside the Rio) on Tuesday, September 26, 2006.

Training was made available on Wednesday, September 27, 2006 for Lodge Secretaries and Treasurers. Approximately 25 delegates stayed over for the training on Wednesday. National Treasurer Tom Penozza gave training related to financial duties and requirements for lodge treasurers.

Roxanne Hollis gave instruction for Lodge Secretaries and gave much needed updates on the new system available online for membership updates.

During the two day conference, several raffle prizes and door prizes were given away. In addition, our lodge was able to raise over \$5,000 for the National Political Action Committee. Many thanks for all who

participated in the auctions, spirit and enthusiasm that accompanied the raising of these funds!

As a side note, I would like to thank all of the delegates in attendance who gave me their support to serve you for another two years at your State Vice President.

It has been an honor to serve you and work side by side with our State President Roger Mayberry. We are all blessed with the talent and leadership skills that our State President possesses.

President's Message

We need your help!

The delegates at our 15th Biennial Conference voted to raise \$10,000.00 each year to be donated to the California Peace Officers Memorial Foundation. Each year, the Foundation honors our brothers and sisters that give their life in the line of duty. No sacrifice can be greater and we need to do our part to see that the foundation will always be there to honor them.

It will take each Lodge to dig deep and donate to this cause for us to reach our goal. I know some can give more than others but every donation will help. This year we have a short time to raise the money so I am asking for you to send what ever your lodge and members can raise by December 15, 2006.

Please help reach that \$10,000.00 mark and I will challenge other groups to do the same. We have a chance to be the leaders and I know we can do it. Donations can be sent to our State Treasurer and will be turned over to the Foundation in January 2007.

Thanks in advance for your help,

Legislative Report
by Jim Vogts
October 11, 2006

ASSEMBLY BILLS

AB 352 (Koretz) Pertains to serializing amo. OPPOSE. Held in Conference Comm.

AB 373 (Bermudez) This bill would enact the Deputy David March Officer Safety Act of 2005, which would create the Two-Officer Patrol Car Pilot Program. This bill would permit local law enforcement agencies to apply to the Department of Justice to participate in the pilot program. SUPPORT. Held in Senate

Appropriations on suspense.

AB 1035 (Spitzer) This bill would prohibit any state or local agency from hosting or providing service to an internet web site that posts an official's home address or telephone number, or disclosing the location thereof. This bill also provides for civil redress in the event this happens. SUPPORT. Died in Senate Judiciary committee.

AB 1147 (Leno) Would permit the cultivation of hemp in California. OPPOSE. VETOED.

AB 1368 (Umberg) Would eliminate any apportionment of permanent disability under Section 4663 for any injury covered by a presumption in Labor Code Section 3212 and 3213. COSPONSOR. SIGNED INTO LAW, CHAPTER #836.

AB 1882 (Frommer) Would re-classify the Los Angeles World Airport (LAWA) Police Division from 830.33 of the Penal Code to 830.1. OPPOSE. Assembly Public Safety Committee. Failed on 4/18. Reconsideration granted. Passed on April 25th. Now in Senate Public Safety. Pulled by author on June 27.

AB 2068 (Nava) Pertaining to worker's comp. redesignation of physician. SUPPORT. SIGNED INTO LAW, CHAPTER #819.

AB 2076 (Laird) Needle exchange bill. OPPOSE. Withdrawn from enrollment and held at Assembly Desk.

AB 2132 (Levine) Would allow PERS retirees to reenter the workforce while retaining retirement benefits. SUPPORT. VETOED.

AB 2133 (Torrice) The worst racial profiling bill re: traffic stops I have ever seen. Would among other things eliminate consent searches of the vehicle in connection with traffic stops. OPPOSE. Withdrawn by author.

AB 2164 (La Suer) Would allow reserves to work private security jobs if no full-time peace officer is available. SUPPORT. Chapter 87.

AB 2183 (Spitzer) Would allow, pursuant to the state's collective bargaining law, a peace officer union to negotiate a department-approved physical fitness program by execution of an MOU. A workers compensation presumption would then arise, ensuring that any injury suffered in the course and scope of the approved fitness program would be 100% compensable. This bill would appropriate \$10 million from the General Fund to the POST Commission to develop the guidelines and reimbursement. WATCH. This bill is sponsored by the California Organization of Police and Sheriffs (COPS). Held in Assembly Appropriations suspense file.

AB 2229 (La Suer) This bill would inject common sense in the "use a gun, go to jail" penalty enhancement that was never intended to be used against a law enforcement officer who was conscientiously attempting to carry out his duties. It would provide an exception to the sentence enhancements as defined. SUPPORT. Senate Public Safety. Failed.

AB 2231 (Pavley) Would require wireless service providers to deliver emergency text messages to California residents during a high-level disaster. The alerts would only be required when a local or state emergency has been declared, or is anticipated, and would be directed by the Office of Emergency Services. SUPPORT. SIGNED INTO LAW, CHAPTER #764.

AB 2309 (Negrete McLeod) This bill would, in Los Angeles County, provide that the Deferred Retirement Option Program would apply to eligible safety members of specified safety member classifications as those classifications may be specified or limited in the implementing ordinance. SUPPORT. SIGNED INTO LAW, CHAPTER #320.

AB 2366 (Runner) Would authorize a retired safety member in LA county

who is required to retire at age 60 to work up to 12 months or 2080 hours without reinstatement from retirement. WATCH. Chapter 120.

AB 2632 (Negrete McLeod) This bill would allow part-time members of the California National Guard to enter the Public Employees Retirement System (CalPERS) if they choose to. SUPPORT. Held in Senate Appropriations.

AB 2681 (Pavley) Would double all fees re. the Abandoned Vehicle Program including vehicle theft and "fix it" programs. SUPPORT. VETOED.

AB 2857 (Bass) This bill would confer peace officer status on local firefighters when they are enforcing laws relating to fire prevention or fire suppression regardless of whether or not it is his/her primary duty. OPPOSE. Assembly Appropriations on suspense.

AB 2863 (Karnett) Would amend Government Codes pertaining to Public Employees Retirement in 1937 Retirement Act counties. OPPOSE UNLESS AMENDED TO EXCLUDE L.A. COUNTY. AMENDED AND SIGNED INTO LAW, CHAPTER #846.

AB 2945 (Spitzer) Would ensure multi-jurisdictional law enforcement task forces do not come under the Brown Act. SUPPORT. SIGNED INTO LAW, CHAPTER #427.

AB 2967 (Runner) - Creates felony/misdemeanor to furnish alcohol to a minor who thereafter causes death or great bodily injury. SUPPORT. Assembly Appropriations on suspense.

SENATE BILLS

SB 171 (Alquist) Re: Video recording of interrogations. OPPOSE. VETOED.

SB 328 (Cedillo) Would increase POBR reimbursement. SUPPORT. Held in Appropriations on suspense.

SB 357 (Dunn) Pertaining to serialized handgun ammunition. OPPOSE. Assembly Appropriations. THIS IS NO LONGER A DUNN BILL AND NO LONGER DEALS WITH AMMUNITION.

SB 432 (Alquist) This bill would provide for a \$5 increase in the fee charged for the service of certain civil process. SUPPORT. SIGNED INTO LAW, CHAPTER #365.

SB 660 (Kuehl) Would require the principal of a school to contact a parent or guardian before making a pupil available to a peace officer for questioning. OPPOSE. Assembly inactive file.

SB 815 (Perata) Would revise the formula for workers comp. payments for permanent disability. SUPPORT. VETOED.

SB 1160 (Cedillo) Another version of the "drivers license" bill. WATCH. Assembly Appropriations on suspense.

SB 1184 (Cedillo) Would add Section 831.7 to the Penal Code which defines a custody assistant employed by the Sheriff of Los Angeles County and would expand Section 664 to include custody assistants and others. COSPONSOR. SIGNED INTO LAW, CHAPTER #468.

SB 1241 (Cox) This bill would repeal the requirement that a deputy sheriff or deputy marshal be a citizen and resident of this state in order to be appointed to that position. SUPPORT. SIGNED INTO LAW, CHAPTER #53.

SB 1453 (Speier) Would remove persons from parole after they have completed an in custody drug rehabilitation program and spent specified time in out patient program. OPPOSE. SIGNED INTO LAW, CHAPTER #875.

SB 1455 (Hollingsworth) Would create a 1 or 5 year sentence enhancement for committing certain crimes while impersonating a peace officer.

- SUPPORT. Did not pass Senate Public Safety Committee.
- SB 1544 (Migden) Would expand the scope of the Attorney General and POST to dictate specific investigatory techniques dealing with eyewitness identification. OPPOSE. VETOED.
- SB 1545 (Poochigian) Would establish a 10-year penalty for specified felons found in possession of a concealed or loaded weapon in a public place. SUPPORT. Held in Senate Appropriations.
- SB 1547 (Romero) Would require the California Department of Corrections to give early release to elderly and medically incapacitated inmates, as specified. OPPOSE. Held on Assembly inactive file.
- SB 1631 (Romero) Currently a "spot bill" it is the authors intention to amend this bill to require public disclosure of a peace officer's identity in certain personnel incidents, (i.e. an officer-involved shooting.) OPPOSE. Senate Public Safety Committee. Withdrawn by author.
- SB 1642 (Romero) Three strikes bill (as proposed by Los Angeles County D.A. Steve Cooley.) WATCH. Senate third reading file.
- SB 1666 (Bowen) Would protect people from privacy invasions and identity theft by banning "pretexting" - the practice of impersonating someone to gather confidential information about them. SUPPORT. Assembly inactive file.
- SB 1699 (Bowen) This bill would require retailers and financial institutions to remove credit card and bank account numbers from store receipts and bank statements. Reduces identity theft. SUPPORT. SIGNED INTO LAW, CHAPTER #682.
- SB 1744 (Bowen) Identity theft. Would require companies and government agencies that experience security breaches to pay the victims' cost of placing a freeze on their credit reports and set up credit monitoring services for a one-year period following the breach. SUPPORT. Failed in Assembly Business & Professions. SB 1773 (Alarcon) Would allow penalty assessment money to be used to offset medical cost. OPPOSE. SIGNED INTO LAW, CHAPTER #841.
- SB 1815 (Romero) This bill represents a peace officer "carve out" from the existing workers comp. provisions as defined. WATCH. This is a good idea that needs a lot of work. Stay tuned. Senate Labor and Industrial Relations. (This language will reappear on the Assembly side).
- AB 3026 (Lieber) This is basically the same as above (SB 1815) SUPPORT. This was the amended bill sponsored by PORAC. Held in Senate Rules committee.

Summary

Of the bills that we SUPPORTED, 11 did not make it through the legislative maze, 12 were signed into law, and 2 were vetoed.

Of the bills that we OPPOSED, 9 did not make it through the legislative maze, 1 was signed into law, and 3 were vetoed.

There were over 5,000 legislative proposals introduced this session. There were 466 bills assigned to the Assembly Public Safety Committee this session (we also deal with many other committees such as Insurance, Public Employees Retirement & Social Security, Appropriations, Transportation, Judiciary, and Labor and Industrial Relations.)