



LASPA NEWS

General Update from Your Union

DUI BAIL SCHEDULE INCREASED

Drunk driving is serious and unfortunately, more and more Deputies are being arrested for this crime. In response, the Department has taken a stand and drastically altered its disciplinary approach to drunk driving. Previously an arrest for drunk driving (without a collision) carried 7-15 days off. Now, the discipline is straight 15 days off. Days off for an arrest involving a collision is raised from 10-20 days off to 20-30 days off.

Remember, you still face discipline even for an arrest. Not

being convicted or pleading down does mean you can not be internally punished. If you are arrested for drunk driving immediately call us. We can help you mitigate the consequences.

Don't drive drunk! It's unsafe, illegal and costly!

EDUCATION BASED DISCIPLINE (EBD) PHASED IN

Sheriff Baca's personal pet project is off the ground, getting good reviews and appears to be working. You have probably heard of EBD.

American Police Beat recently wrote a good piece on it. In

short, EBD (as the name implies) is an alternative to suspension-based punishment and is unique in law enforcement. It is also important to always remember that EBD is voluntary and you always maintain all grievance rights of appeal.

Per the Department's explanation of EBD, "When an officer commits an offense, depending on the severity of the offense, he or she can choose to either take the suspension, or waive the right to contest the punishment and agree to enter an alternative EBD option. The suspension is still recorded on the officer's record, but the officer

does not lose pay over the matter."

Feel free to contact us for more information on EBD.

LASPA ALWAYS ON YOUR SIDE!

Around midnight a Lakewood Deputy was involved in a use of force resulting in the death of a suspect. LASPA had its General Counsel on scene within an hour of the Deputy calling our 24-hour line and stayed with the Deputy, protecting the rights of our member during the Homicide interview.

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REMINDERS

- We continue to update our database, please inform us of any changes to your mailing address, unit of assignment, phone numbers, emails, or rank.

- LASPA offers discounted tickets to several theme parks, movie theaters, and other venues. Now available at our office with 24-hour notice. Please contact us for more details.

THE TRUTH SHALL SET YOU FREE!

A message from Adam Marangell, LASPA General Counsel:

Simple but true. Countless times, however, I have represented deputies fighting I.A.B. charges. I meet with them, go over their version of events, question them, get to know them, and stress over and over again to tell the whole truth. Then the I.A. interview comes around. I think I know everything the deputy is going to say. After all, I've heard it all once before right? Wrong. More times than I like to think about at some point in the interview the deputy ... well... let's just say the deputy is not fully forthright in answering the questions. Sometimes, this event carries a worse penalty

than the matter being investigated.

I always tell a deputy: I can get you out of the worst truth but not the smallest lie. And, within reason, that holds true 99.99% of the time. To be sure, this is a rare situation. The vast majority of deputies answer every question posed absolutely honestly. Or, if they are not completely honest it is not due to deceit. They are embarrassed by their actions and try to minimize them. The cases of outright lies in an I.A. interview are so rare that I can count them on one hand, going back eleven years.

Bear in mind, however, what may be to you a minimizing of an event may read to the re-

viewing board very differently; i.e. they are going to assume you are lying.

By the same token, if you know you were wrong and are ready to simply fall on the proverbial sword and take your discipline, never, ever, talk to I.A.B. without representation. You pay your dues to have an attorney (not an "advocate") protect you, let us. Unfortunately, I have seen this situation arise as well. A deputy simply takes the discipline without a fight when a lower number of days would have been negotiated. The discipline stays on your record and can affect your job—keep it as low and as mildly worded as possible.

In sum, tell the truth, the whole truth, and don't do it alone.

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In another late night incident, a TSB Deputy was involved in a use of force resulting in the death of a suspect. Again LASPA had its General Counsel at the scene within an hour. When Homicide failed to roll within three hours, our General Counsel told Homicide they were all leaving. (A Security Assistant was also involved and a LASPA member.) This was to protect our members as the both had worked many hours and providing an interview at that point was not in the best interests of our members. Despite threats from Homicide to our General Counsel to return for the interview at 5 a.m., the interviews were conducted late the next day, when the members were fully rested and able to give complete and clear statements.

A Lancaster Deputy who received a 25-day suspension was fully reimbursed for all the days missed under our payroll reimbursement policy. We are currently fighting the suspension before the Civil Service Commission.

Another Lancaster Deputy had a 20-day suspension thrown out after our General Counsel noted that the Department was late in serving the required notice of discipline.

DONT GO IN THERE ALONE!

Never give any interview to IA alone. You pay your dues, let us do our job for you. No matter how small the matter is, or you think it is, call us and you will have an attorney sitting next to you for the interview. The most common excuse we hear is, "It was no big deal, I didn't think I needed representation." Often, that is true but why take the risk? Believe us, IA loves when you don't have representation. To be clear, LA has the most professional IAB but they are investigators first and foremost. You need someone to keep them in check. Remember the saying, he who represents himself has a fool for a client? Don't be that fool! There is nothing worse then getting a package and finding out the member gave the interview alone and is now getting pinched and we are stuck forever with the interview statements. Let us do our job and we will save yours.

MEMBER REFERRAL PROGRAM

LASPA offers incentives for current members who refer new members. When you make a referral, please provide that person your full name and employee number, so that we can track your referrals.

Refer 5 members:

1 month of FREE dues

Refer 6-10 members:

1 month of FREE dues, plus 2 movie tickets

Refer 11 members or more:

1 month of FREE dues plus
a \$50 Visa gift card

LASPA PAYROLL REIMBURSEMENT POLICY

Things happen; unintended consequences occur. This is why LASPA prides itself in offering its members payroll reimbursement during suspensions without pay. Reimbursements may apply for up to 30 days, depending on your membership plan. This allows you to continue paying your bills and providing for your family until issues are resolved. All LASPA members are entitled to receive payroll reimbursement. However, there are guidelines to our policy.

In the event you are suspended without pay for the matter covered under the Agreement for LASPA Representation, you are eligible for payroll reimbursement of your net pay up to 30 days, depending on your level of membership.

You are NOT eligible for reimbursement if the conduct alleged involves matters outside the

course and scope of employment or malicious disregard for policies or reckless behavior.

If you are represented by other counsel for your investigation and receive time off, you are NOT eligible for reimbursement under LASPA's policy. You are also not eligible if LASPA has to take over a case that another union worked on.

If you choose NOT to grieve the intended time off by the department, you are NOT eligible for reimbursement. LASPA's attorneys must be given the opportunity to resolve your case or decrease the suspension. Notwithstanding the foregoing, any payroll reimbursement rests entirely within the discretion of LASPA.

In any event we encourage our members to contact us immediately when you are notified of an open investigation or possible investigation.

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You know me as your General Counsel,
but I handle all types of cases for our Members:

- Automobile, Motorcycle and Trucking Accidents
- Catastrophic and Serious Injuries
- Uninsured Motorist Claims
- Insurance Bad Faith

I OFFER A REDUCED FEE FOR LASPA MEMBERS AND THEIR REFERRALS!

Why should you, a friend, or family member pay another attorney a full fee when you can utilize your own General Counsel at a reduced rate?

Please call for details.

Consultation regarding any legal matter is always free for you or any referral to me by you.