

San Diego Deputy District Attorneys Association

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| President: | Robert Hickey |
| Vice President: | Steve Walter |
| Treasurer: | Cari Philpott |
| Secretary: | Chantal de Mauregne |
| Directors: | Robert Lafer, Richard Monroy, Bryn Kirvin, David F. Williams III, Brian Erickson, & Matthew Dix |

October 2010 Edition: www.sdddaa.net



PRESIDENT'S MESSAGE

By Robert Hickey

Thank you for electing me, Steve, Cari, and Chantal as the new Officers of the DDAA. I hope we are able to reward your trust and confidence by helping build a better and stronger office. In addition to holding an election for the open "at large" board seat, we will be forming committees soon, including Salary Negotiations, Social and Grievance. Please let me or any board member know if you are interested. Tough times seem to magnify every decision, so we welcome all the input we can get.

1. Vacant Seat on the DDAA Board: As a result of the 2010 DDAA Officers Election, there is now 1 vacancy on the Board of Directors of the DDAA. Therefore, the DDAA Board is

seeking nominations for the following seat: At Large Representative - Open to a DDA of any class. If elected, the new director shall finish out the term of office that was vacated (one year). If you are interested running, please submit by e-mail a written request to DDAA Secretary Chantal de Mauregne (ChantaldeMauregne@sdcdca.org) no later than 5 p.m. on Friday, November 5, 2010.

2. *Openings on the San Diegans Against Crime Board:* There are currently several openings on the Board of Directors of the Political Action Committee for the Deputy District Attorneys Association. The PAC Board serves very important functions, and obviously makes your Association stronger and more effective. I would strongly urge you to consider becoming a PAC Board member. If interested, please provide a brief statement of qualifications / reasons you would like to be a PAC Board director (no more than one page), and send it to PAC President Pat Espinoza. Those of you who have not joined the PAC, now would be a great time to do so!

3. *2010 San Diego County Bar Association Board of Directors Election:* Deputy District Attorney Patrick Ojeil is running for the SDCBA Board of Directors. The election is from Friday, October 15th - November 12th, 2010. The SDCBA's Board of Directors election will take place online. In order to cast a vote, you must log in to the SDCBA website. If you do not have a log in, or need to reset your username and password, visit www.sdcba.org. Click on 'Log in' in the left hand corner of the screen, then follow the instructions for resetting your information. We encourage you to vote for Patrick. He will be a great voice on the Bar Board.

4. *2010 DDAA Awards Banquet – Saturday, September 25, 2010:* The Deputy District Attorneys Association held the annual Awards Banquet on Saturday, September 25, 2010 at the Hilton La Jolla Torrey Pines. We wish to thank Chantal de Mauregne, Janay Kruger, Janice Sumrow, and Julie Harn for their hard work on planning this great event. We gave away door prizes again this year, including two round trip tickets anywhere in the United States. Congratulations to the award recipients!

Prosecutor of the Year

Patrick Espinoza

Outstanding Achievement Awards

Per Hellstrom

Jill Schall

Frank Jackson

Outstanding Achievement Awards - DDA 7 Years or Less

Matthew Williams

Melissa Vasek

Child Support Program Attorney of the Year

Janette Mittman

Edwin L. Miller Jr. Lifetime Achievement Award

Jeff Dusek

District Attorney Investigator of the Year

John Diaz

Public Servant of the Year

Ed Phillips, Department of Public Works



**DEPUTY DISTRICT ATTORNEYS ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES OF 10/5/10**

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| Officers and Directors Present: | Robert Hickey Steve Walter Bryn Kirvin Brian Erickson | David F. Williams III Richard Monroy Chantal de Mauregne Cari Philpott | Matthew Dix |
|--|--|---|-------------|

Members Present: John Philpott, James Koerber, Ann Barber, Adam Gordon
DDAA Attorney Richard Castle

1. **Call to Order:** President Hickey called the meeting to order at 5:05 p.m.
2. **Association Comment:** None.
3. **Request for Endorsement for San Diego County Bar Association Board – Thomas Penfield and Victor Torres:** Civil attorney Thomas Penfield and criminal defense attorney Victor Torres both requested an endorsement for the San Diego County Bar Association Board of Directors. The election will be held this fall in October-November 2010. Matter discussed in Executive Session. The Board voted not to endorse any candidates in this race other than previously endorsed DDA Patrick Ojeil.
4. **Promotional Issues:** President Robert Hickey and Vice President Steve Walter met with Cheryl Ruffier to get some updated information on promotions for all DDA levels. They were told that the merit-based scheduled increases for DDAIs to DDAlIs are in the process of getting passed. The evaluations are in and hopefully by the end of this year, those promotions will be made. They were also told that the merit-based scheduled increases from DDAlIs to DDAlIIs are likely to occur in May or June of 2011. As far as promotions from DDAlIIs to DDAlIVs and DDAlIVs to DDAlVs, they were told that the budget situation is still somewhat problematic. However, it is hoped that some of these types of promotions could occur, depending on the budget, during the 2011/2012 fiscal year. Additionally, our office may be hiring a small class of new attorneys during that same timeframe.

It should be noted that the DDAA Board believes and has conveyed to the Administration, that by not hiring a large number of new attorneys, we are creating promotional opportunities from within. It should also be noted that while the Board recognizes the helpful contribution of the current volunteer attorneys, the Board is committed to having our office remain a career prosecutor office.

5. **Holiday Party Update:** The Holiday Party will be on December 10th from 5:00 – 10:00 pm at the NTC Promenade in Liberty Station. Invitations will be sent out in early November.
6. **Use of Personal Email List:** The Board decided that the personal email list of DDAs will be turned over to the Secretary to be kept solely by her.
7. **2010 DDAA Officers Election Results:**

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|-----------------|---------------------|
| President: | Robert Hickey |
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74% of the association members voted in this election.
8. **2010 DDAA Special Election to fill Board Vacancies:** As a result of the 2010 DDAA Officers Election, there is now 1 vacancy on the Board of Directors of the DDAA. Therefore, the DDAA Board is seeking nominations for the following seat:
 - 1 At Large Representative: Open to a DDA of any class

If elected, the new director shall finish out the term of office that was vacated. This term would be for one year. If you are interested in running, please submit an emailed written request to DDAA Secretary Chantal de Mauregne [chantal.demauregne@sdcdca.org] **no later than 5:00 p.m. on Friday, November 5, 2010.** Please include in your nomination a ballot statement from the candidate. Please limit the ballot statement to no more than ½ page, single spaced. Voting for the vacant seat will occur on November 9-10, 2010. Election procedures were also discussed regarding the past Officers Election and the upcoming Special Election.
9. **PAC Update:** There are 2 openings on the PAC Board. The PAC Board is therefore seeking nominations. If you are interested in running, please send all nominations to PAC President Pat Espinoza.
10. **Treasurer's Report:**

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|--------------------------|--------|
| Primary Savings: | \$**** |
| Money Market: | \$**** |
| Litigation Money Market: | \$**** |
| Certificate: | \$**** |
| Checking: | \$**** |
11. **Consultant's Report:** None.
12. **President's Report:** Several Board members had lunch with Supervisor Ron Roberts on Friday, October 1st. Robert Hickey, Steve Walter, Chantal de Mauregne, Bryn Kirvin, and Matt Dix attended the lunch. Mr. Roberts stated that until the state budget has been decided, he won't know what the county budget will be like.

President Hickey reported that contract negotiations should be starting very soon. If you are interested in serving on this committee, please contact Robert Hickey directly. Additionally, the Board will be setting up the other committees at the next Board meeting, so if you are interested in serving on one or more of them, please come to the November Board meeting, which will be on Wednesday, November 3rd.

13. **New Business:** DDAA Attorney Richard Castle told the Board that PORAC will be having their annual conference in November. The Board will consider sending one of its members to attend this conference. In discussing LDF, Mr. Castle noted that he would recommend having a Board member and/or himself attend any meetings with an association member if an issue arises which may lead to discipline. LDF is for the benefit of all attorneys.
14. **Old Business:** None.
15. **Executive Session:** The Board met in Executive Session to discuss the San Diego County Bar Association Board endorsements.
16. **Adjournment:** 6:05 p.m.

Respectfully Submitted,

Chantal de Mauregne, Secretary



Local cities target pension plans

Governments trying to reduce burden by asking employees for contributions

By Jeff Ristine, Union-Tribune,

Monday, September 20, 2010

First with city halls that go dark every other Friday, then with hiring freezes and furloughs, local cities have sliced labor and operating costs amid these rough economic times.

Now, they are trying to reduce the burden of their pension programs. In some cases, that means public-safety employees are contributing to their pension funds for the first time. Elsewhere, new hires are channeled into a "second tier" with lower costs and smaller benefits.

By one count, 10 of the 18 cities in San Diego County have tinkered with pension contributions in the past year. San Diego and Carlsbad each have November ballot measures addressing the topic.

“It’s a sign of the times,” said Jessica Levinson, director of political reform at the Center for Governmental Studies in Los Angeles. “When cities and counties are so strapped for cash, they’re going to ask their public employees for sacrifices.”

In cities where employees haven’t had a raise lately, the increased contributions amount to a pay cut, said Joan Raymond, president of the city’s blue-collar union.

“It’s kind of an easy fix compared to other types of solutions,” such as increasing fees or raising other revenues, Raymond said.

But to the San Diego County Taxpayers Association, the increases are long overdue.

Lani Lutar, president of the primarily business-oriented consortium, said employer “pickups” of pension contributions were an optional perk that got out of hand.

“That was never supposed to be the norm,” she added.

A typical pension under the California Public Employee Retirement System has an employee or member contribution of 7 percent to 9 percent of the employee’s salary. (The pensions are an alternative to Social Security, which doesn’t cover public employees in California.)

Despite the name, in many jurisdictions all or part of the employee contribution has been paid by the cities on behalf of their workers. Now more cities are saying they can’t afford the offset.

In Poway, employee groups this year agreed to contribute an additional 1 percent of their salaries toward pensions even though their pay has been frozen since 2008.

Looking at its revenue and spending projections, the city realized the previous program was “unsustainable,” said Assistant City Manager Tina White. “We don’t know of any revenue source that will grow as much as we expect our operating expenses, including our pension costs, will grow.”

The 1 percent move saves the city \$700,000 annually from a total operating budget of about \$76 million, White said. A second tier for new hires is under discussion for the next round of contracts, she added.

Pension initiatives taken this year in other parts of the county include:

- Oceanside firefighters agreed to pay 4 percent of their salaries toward a 9 percent employee contribution, the first time the city has not shouldered the full cost itself. The agreement, which goes to the City Council for a vote Sept. 22, was part of a contract with a 2.5 percent pay increase and a boost in minimum staffing.
- Solana Beach lifeguards’ and firefighters’ contributions to their retirement funds, formerly 2 percent or less, will increase to 9 percent. Benefits were reduced for new hires.

- Carlsbad firefighters now shoulder the entire 9 percent employee contribution and police will do so in 2011, the second year of a phased-in change. Both changes were imposed on the labor groups after an impasse in contract negotiations.

If it passes on Nov. 2, Carlsbad's Proposition G would require voter approval for any future increase in pension benefits for public-safety workers.

El Cajon, Escondido, La Mesa, Lemon Grove, National City and Santee also have taken steps in the past year to raise the amount their employees pay toward pension contributions, according to the taxpayers association.

In San Diego, which has a \$2 billion pension debt, changes to retirement benefits account for four of the 10 conditions attached to Proposition D, a half-cent increase in the city's sales tax.

Among other conditions, the city would be obliged to reduce its share of the employee pension contribution for most workers and to eliminate them altogether in employee contributions for elected officials and managers.

Councilwoman Donna Frye, a leading proponent of the Nov. 2 measure with Mayor Jerry Sanders, acknowledged that no dollar figure can be placed on the savings to be derived from most city workers because it depends on the outcome of collective bargaining. The savings from dropping elected officials and managers is estimated at \$400,000 a year.

Frye mentions the same flagging economic conditions cited by critics, such as Raymond, in defending the action.

"When you have high unemployment and people that are losing their homes," Frye said, "the contrast between those who are employed and those who are not becomes even greater."



Remember – Election Day is November 2nd!