



# The Billy & Spanner



## PRESIDENT'S NOTES

By Ray Storms

The Folsom BBQ was May 18th, it was a great time. Great park, great food—the chicken was so amazing. A special thank you to Ed Cutter for taking this event on. You did an excellent job. It was wonderful to see people I hadn't seen in a while. Our annual BBQ is August 8, 2019 at Coyote Ranch. Please register for this so we can get a head count.

On Thursday May 16, 2019 local Firefighters had a Benefit at the San Jose Improv. There were six comics, who put on a great show and it was nice to some retirees came out to enjoy the evening. About 200 people came out between actives, retirees, and Administration. The causes benefiting from the event were San Jose Fighting Chance, Valor Games, and Los Bomberos of Norcal. Thank you Ben Naranjo for setting it up.

VP Shuman sent the approved \$10,000 for police officers who lost their homes in the Paradise Fire to the Paradise Police Chief who will distribute it for us.

This is a reminder that Eugene Lee from Pacific Advisors will be giving a free class to retirees on Wealth Steps, a financial wellness program that introduces essential personal finance concepts from a unique balance sheet perspective, after the July 11 General Membership Meeting.

There are still plans to go forward with meetings to determine what happened with the FLSA Over/Under Payments by City Finance.

I attended the Benefits Review Forum (BRF) Meeting regarding the Request for Proposals (RFPs) for Health Insurance coverages for Retirees. Mid-June is targeted for the City Council to approve recommendations from the forum.

Jerry Ellis has informed the Board that he will not be returning to the Board next year. He has given 23 years to this organization. We greatly appreciate his dedication. Jerry thank you for all you do and have done. You can't replace Jerry, but we will be looking for someone to step up and be a director.

**As always stay safe and enjoy your retirement you earned it!**

### INSIDE:

- Annual Association BBQ
- State legislative update



# JOIN THE WEALTH STEPS® FINANCIAL WELLNESS WORKSHOP

## JULY 11TH, 2019

SAN JOSE POA HALL

TIME: POST MEMBERSHIP MEETING

VISIT THIS WEBSITE TO REGISTER FOR THE WORKSHOP

<https://www.livingbalancesheet.com/lbs/ws/Account/NewCreate/a1b504da-a3e5-4067-add8-a9ad4a42f265>

## ANNUAL ASSOCIATION BBQ

### AUGUST 8, 2019

Coyote Ranch  
Details coming soon



### CONGRATULATIONS ON YOUR RETIREMENT

**PATRICK MULCAHY**, Fire Captain, 24.05\* years of service.

**MICHAEL SPERRER**, Fire Engineer, 27.89\* years of service.

(With Reciprocity - 20.91 CSJ YOS + 6.98 PERS YOS)

### WELCOME NEW MEMBERS

Steve Mc Ewan

Daniel Archie

Michael King

## **STATE USE OF FORCE LAW UNDERGOES MAJOR CHANGES**

Earlier this year, the ACLU sponsored a bill, AB 392, that proposed to dramatically change the laws regarding when a police officer could use deadly force to protect themselves and others. In short, the ACLU sought to make it easier to criminalize the split-second decisions officers have to make during dangerous encounters. AB 392 was opposed by every major law enforcement organization in the State. Many of this Association's retirees directly assisted in the fight against AB 392 by joining the San Jose POA's call-to-action of sending in e-mails to your elected state representatives.

Earlier this month, AB 392 underwent major amendments. Some of the largest changes included removing the enhanced criminal liability of officers for making those split-second decisions, as well as removing the provision of a bill that would have required officers to exhaust a mental check-list of all alternatives prior to using deadly force. The new changes bring California law to be consistent with current constitutional case law.

As a result of these changes, all of the law enforcement groups that opposed AB 392 have now removed their opposition. Additionally, those groups will continue to push their proposed legislation, SB 230, which will standardize and enhance training across the state in areas such as safely resolving mental health crisis situations and de-escalation tactics.

During these legislative battles, every little bit of support helps. We appreciate those retirees who took the time to send their elected officials an e-mail opposing AB 392 and supporting SB 230.

## **SJPOA SEEKS COSTS OF ELIMINATING "REMARRIAGE PENALTY"**

At the May 2, 2019 Retirement Board meeting, the Board discussed a request from the SJPOA to analyze the costs associated with eliminating the so called "remarriage penalty" for survivors of police officers who were killed in the line of duty.

Current policy states that a survivor of an active duty officer killed in the line of duty receive death benefits for life, unless they remarry, at which time all benefits cease. The Board agreed to allow the use of the Plan's actuary, Cheiron, to study the impacts on costs to the Plan if the "remarriage penalty" was eliminated.

## **GOOD AND WELFARE**

Walter Bunga Stopped by to visit Ray Dundon on 5-23 at Vasona Creek Healthcare. He was informed by the staff that Ray will be going home today. His Granddaughter is taking care of him and I'm sure she will be hiring staff to oversee him. Please give him a couple of days to adjust at home but if you are able, please go and visit him. Be advised that Ray has dementia. His home address is: 1567 Guadalajara Drive, San Jose, 95120. His home phone is: 408 997-0431

### **Save money, save paper.**

Sign up for E-Newsletter. By signing up to receive the newsletter through e-mail, you will get the same content, only you will help the Association save money on printing and postage costs. If you wish to receive the newsletter via e-mail versus regular mail, please send an e-mail to [treasurer@retiredsjpoff.org](mailto:treasurer@retiredsjpoff.org)



P.O. Box 28041  
San Jose, CA 95159-8041

visit our website:  
[www.retiredsjpoff.org](http://www.retiredsjpoff.org)

Volume 27  
No. 5  
May 2019



# The Billy & Spanner

## CALENDAR OF EVENTS

- 6/5 Holders – Green, 1424b Saratoga Ave. SJ, 408-378-6022
- 6/12 Hickory Pit - Gray, 980 E. Campbell Ave., Campbell 408-371-2400
- 6/13 Association Meeting 11AM to 1PM at the San Jose P.O.A. Hall 1151 N. 4th St San Jose**
- 6/19 City Diner – Tan, 2951 Monterey Rd., 408-269-5490
- 6/19 Police Benevolent Association, 5P at the San Jose POA Hall, 1151 N. 4th St., San Jose
- 6/26 Burger Pit - Blue, 120 Blossom Hill Rd., SJ, 408- 225-6030
- 7/3 Grill'Em – Wine, 2509 S. Bascom Ave., Campbell, 408-371-8729
- 7/11 Association Meeting 11AM to 1PM at the San Jose P.O.A. Hall 1151 N. 4th St San Jose**
- 7/17 Holders – Green, 1424b Saratoga Ave. SJ, 408-378-6022
- 7/17 Police Benevolent Association, 5P at the San Jose POA Hall, 1151 N. 4th St., San Jose
- 6/17 Hickory Pit - Gray, 980 E. Campbell Ave., Campbell 408-371-2400
- 7/24 City Diner – Tan, 2951 Monterey Rd., 408-269-5490
- 7/31 Burger Pit - Blue, 120 Blossom Hill Rd., SJ, 408- 225-6030

## CONDONENCES

- William Smoke**, Police Sergeant, retired January 23, 2010, died March 13, 2019.
- Edward Tennant**, Police Officer, retired April 1, 1993, died March 3, 2019.
- Phillip Rice**, retired fire engineer, retired February 5, 1989.
- Robert (Bob) Lilly**, retired fire engineer, retired October 2, 2002, died May 12, 2019.
- Randy Perez**, retired fire engineer, retired January, 2015.

## ASSOCIATION OFFICERS

- Ray Storms, President 510 507-1136  
[president@retiredsjpoff.org](mailto:president@retiredsjpoff.org)
- John Shuman, VP of Police [vppolice@retiredsjpoff.org](mailto:vppolice@retiredsjpoff.org)
- Walter Bugna, VP of Fire [vpfire@retiredsjpoff.org](mailto:vpfire@retiredsjpoff.org)
- Dale Foster, Secretary [secretary@retiredsjpoff.org](mailto:secretary@retiredsjpoff.org)
- Larry Samarron, Jr. Treasurer [treasurer@retiredsjpoff.org](mailto:treasurer@retiredsjpoff.org)

## DIRECTORS-AT-LARGE

Mike Alford, Don Bartels, Craig Blank, Pat Boyd, Jerry Ellis, Tim Miller, Mike Moffett, Jim Spence

## WIDOWS & ORPHANS OFFICERS

- President (COA) Jeremy Wise 831-566-7624
- VP (SJA) Maxwell Magnus 650-773-3271
- VP (COR) Bill McCluskey 408-985-7563
- Secretary (SJR) Luis Chacon 408-642-0385
- Treasurer (SJR) Jerry Ellis 408-730-9974
- Treas. Emeritus (SJR) Mike Moffett 408-867-0405

## POLICE BENEVOLENT ASSOCIATION OFFICERS

President - Ernie Alcantar, Vice President - Steve Windisch,  
Sec-Treasurer - Larry Lundberg, Sgt at arms - Bob Moir [www.sjba.net](http://www.sjba.net)