

PEACE OFFICERS o f C a l i f o r n i a

Peace Officers Face \$4,000 Union Fines for Free Speech

On Monday, December 8th, a state employee union held kangaroo court hearings, charging two State Park Rangers, Richard Bergstresser and Guy Chrisos, with speaking their minds about forming a new state peace officer union. These officers, and at least 20 others, are threatened with multiple \$4,000 fines for supporting the Peace Officers of California (P.O.C.) campaign to create a new state bargaining unit.

The current union, the California Statewide Law Enforcement Association (CSLEA), has aggressively fought the idea of a new bargaining unit. CSLEA contains 7,000 state employees including DMV license examiners and billboard inspectors – the peace officers make up less than 40% of the current union and feel that they have not been adequately represented in the past. P.O.C., a grassroots employee association formed by veteran peace officers from within CSLEA, has already submitted a petition containing the names of 1,400 State Peace Officers, well over the 50% threshold, and is asking the Public Employment Relations Board (PERB) to allow the peace officers to form their own bargaining unit.

"These hearings are obviously a CSLEA intimidation tactic," said Richard Bergstresser, a proponent of the new bargaining unit. "Now that the PERB has accepted our petition CSLEA is trying to scare people away by threatening to fine them. With everyone facing tough times the threat of losing \$4,000, no matter how bogus, will make you think," continued Bergstresser. "Instead of engaging the members on the issues CSLEA has once again gone on the offensive, this time threatening our basic first amendment rights."

"My hearing was a mockery", said Bergstresser. "The committee that was hearing my case, and which will decide any potential punishment, also brought the charges. Prosecutor, judge, jury, and executioner, all neatly rolled into one. To add insult to injury, CSLEA Board Member Bruce Hotchkiss said during the hearing that supporting P.O.C. "was like supporting the Nazis," and then refused to retract the statement when I confronted him about it."

CSLEA is relying on its role as the employees' union representative and a set of secretive operating rules never ratified by the membership. Members accused of stating their preference for a new peace officer union face fines of \$1,000 to \$4,000 for each occurrence and expulsion from CSLEA – for some fines in the tens of thousands are threatened.

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"We want the state to create a peace officer bargaining unit, like the Highway Patrol and local Police and Sheriff's departments," said Bob Orange, President of P.O.C. "We cannot be adequately represented in a union where peace officers comprise less than 40% of the general membership. Over half of the peace officers in CSLEA signed petition cards to form their own bargaining unit, we are confident that we have a strong community of interest, and we have legal precedence to support our quest for self representation."

Members threatened by disciplinary action may appear before the 5 person CSLEA Disciplinary Hearing Committee, appointed by and including CSLEA President Alan Barcelona. The accused are expressly forbidden to have counsel and no independent recording of the proceedings is allowed. Over 10% of the union members are already in "trusteeship," with their dues garnished and voting rights suspended by the union.

"I don't think anyone is going to panic," said Jerry Karnow, a Fish & Game Warden and advocate of the new unit. "This tells me that CSLEA is panicking, striking out desperately. Their latest statements in the Sacramento Bee show how far they are willing to stretch the truth. They maintain that they were responsible for getting the funds allocated that were included in the last contract, which is patently false. It was the work of peace officers that made that happen; ask around the Capitol. The state's personnel department even acknowledged it in an interview by the Plumas County News."

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