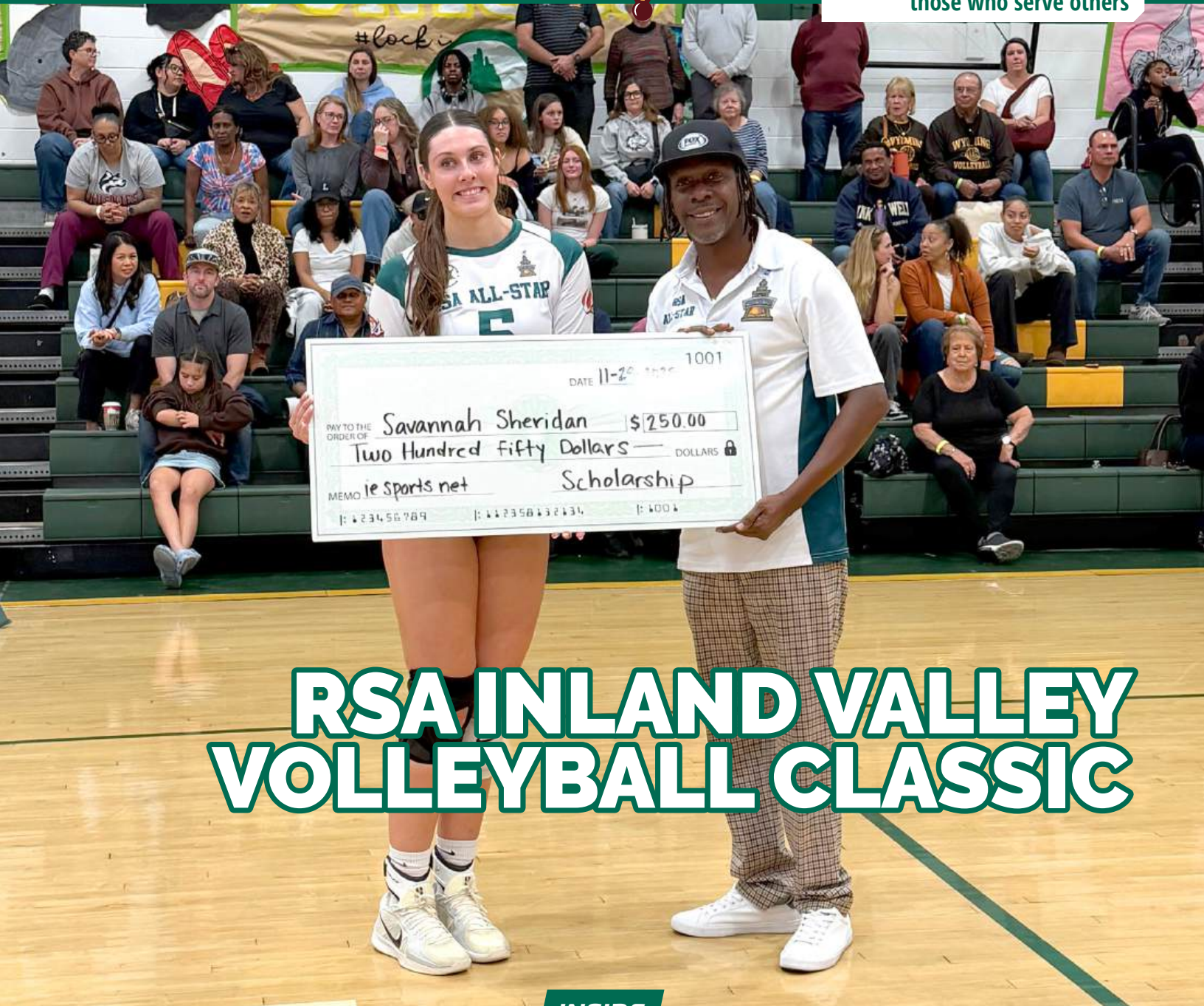


All Points



BULLETIN

Celebrating 82 years of serving those who serve others



RSA INLAND VALLEY VOLLEYBALL CLASSIC

INSIDE

Thank You For Your Service ★ Legal Defense Trust Summary Annual Report 2024
2025 Cookies With Mrs. Claus ★ Chapter 13, Retirees, Update
Government Affairs: A Year In Review ★ Chef's Corner
Christmas Cheer All Year Charity Golf Tournament ★ Police Power Prevails
Blast Ball Or Excessive Force? ★ Michael P. Stone Memorial Golf Tournament



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Editorial comments, advertising information, or subscription requests can be sent to our office, listed above, or call us at (951) 653-5152.

Schedule of RSA Board Meetings

General meetings are held on a monthly basis (except December and January). Regularly scheduled general meetings are on the second Wednesday of each month. The annual meeting of the association is held in January of each year. For more information, check the website at www.rcdsa.org.

Important Benefits Notice!!

- Benefit designations for life insurance are important. Please review them frequently.
- Be sure to enroll a newborn with the Trust within 30 days of birth. Contact the Benefits Office at (951) 653-8014.
- If you marry or enter a domestic partnership, contact the Benefits Office at (951) 653-8014 within 30 days of marriage or entering the partnership.
- If you divorce or terminate a domestic partnership, contact the Benefits Office at (951) 653-8014 within 30 days of divorce or termination.
- If you become a legal guardian, adopt a child, or become legally separated, contact the Benefits Office at (951) 653-8014 within 30 days of the event.
- To ensure coverage, please respect these deadlines. Remember that the department does not notify the Benefit Trust of these changes.
- Please notify the Benefits Office of any changes in your address.
- Please provide dependent substantiation documents to the Benefits Office when requested to avoid cancellation of your dependent's coverage.

RSA Legal Defense Alert!!

Always consult with an association representative/lawyer before responding to any report, letter, memo and/or questions concerning an investigation that could possibly lead to punitive action. If ordered to do so, ask to have it recorded and read the following: Non-waiver statement:

"I have been refused the right to have a representative of my choice. I understand that I am being ordered to make a report or answer questions and that, if I do not comply with the order, I may be disciplined for insubordination. Therefore, I have no alternative but to abide by the order. However, by so doing, I do not waive my constitutional rights to remain silent under the 5th and 14th amendments to the United States Constitution and under the protections afforded me under state law."

**24-Hour Emergency
LEGAL DEFENSE**
**For 24-Hour Emergency
Legal Defense call
(800) 877-7317**

RSA Affiliations

- Southern California Alliance of Law Enforcement (SCALE)
- California Coalition of Law Enforcement Associations (CCLEA)
- Public Employee Staff Organization (PESO)
- Riverside County Peace Officers' Memorial Foundation (RCPOMF)
- California Peace Officers' Memorial Foundation (CPOMF)
- Riverside County Deputy Sheriff Relief Foundation (RCDSRF)
- RSA Legal Defense Trust (LDT)
- Concerns of Police Survivors (C.O.P.S.)

RIVERSIDE SHERIFFS' ASSOCIATION
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 twitter.com/RSA1943

 [instagram.com/riversidesheriffsassociation](https://www.instagram.com/riversidesheriffsassociation)

Thank You For Your Service

Starting 2026 Representing More Chapters

By Jose Santos
RSA President



Dear RSA Members,

As we close out the year, I want to take a moment to thank each of you for your continued professionalism, service, and commitment to one another. On behalf of RSA, I wish you and your family a safe and happy holiday season.

CHAPTER EXPANSION FOR 2026

I am pleased to share that RSA has officially added three additional chapters to better represent our membership across Riverside County. This brings us to a total of 27 chapters for 2026. This expansion strengthens local representation, improves communication, and ensures member concerns are elevated efficiently and appropriately.

“ RSA has officially added three additional chapters to better represent our membership across Riverside County. This brings us to a total of 27 chapters for 2026. ”

COUNTY-WIDE MEMBER TOUR THROUGH MARCH

Vice President Rosa Calderon and I have begun a county-wide tour to meet with members in person and provide updates, refresh key information, and answer questions directly. These visits will continue through March and are intended to reach all stations, facilities, and bureaus. We appreciate the opportunity to connect face-to-face, and we encourage you to attend when we are scheduled at your location.

NEW CONCIERGE MEDICAL PARTNERSHIP WITH CROSSOVER HEALTH

Lastly, I am excited to announce that the Benefits Trust has officially partnered with Crossover Health to provide RSA medical participants with advanced concierge-style medical care.

Here is the current rollout schedule:

- Eastvale – Available January 2, 2026

- San Bernardino – Available January 2, 2026
- Moreno Valley – Projected opening mid-April 2026

Please note: These services are only available to members, spouses and dependents receiving RSA medical. In the coming weeks, you will receive several emails from Crossover Health with instructions on how to enroll, download the app, and access services. I encourage you to watch for those messages and take advantage of this new benefit once enrollment opens.

Thank you again for everything you do. RSA remains committed to strong representation, responsive communication, and expanding meaningful benefits for our membership. If you have questions, please bring them forward during our tour stops or reach out through your chapter leadership. ★



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per year!

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What you can earn each quarter:

	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	Total rewards per quarter
Points	1,000	5,000	12,000	20,000	
Rewards	\$50	\$15	\$50	\$30	\$145

Pulse Cash annual max: \$145 x 4 quarters = **\$580**

Use your Pulse Cash:



Visit the store



Donate it



Get a gift card



Virgin Pulse is becoming **personify**
HEALTH

Launching January 1, 2025

Ways to earn:

Look for **How to Earn** in your account for a complete list of all the ways you can earn points.

	Do healthy things:	Earn points:
Getting started	Complete registration	100
	First login to mobile app	250
	Connect first activity device	200
	Complete a biometric screening	1,000
	Complete the health assessment	1,000
Daily	Upload steps from your activity tracker (per 1,000 steps)	10
	Do your Daily Cards (2 per day)	20
	Track your Healthy Habits (3 per day)	10
	Track sleep nightly	20
	Sleep > 7 hours in a night	50
	Complete a RethinkCare session	20
	Browse healthy recipes	10
	Complete a step in Journeys®	15
Monthly	Win the promoted Healthy Habit challenge	200
	Complete 20 Daily Cards in a month	200
	Track Healthy Habits 20 days in a month	300
	Track sleep 10 days in a month	100
Quarterly	Choose your eating type	250
	Choose your sleep profile	250
	Set your interests	100
Yearly	Set a wellbeing goal	200
	Complete the Nicotine-Free Agreement	100
	Invite a colleague to join	50



Not a member yet?
Get the mobile app or visit:
join.virginpulse.com/RSAwellness

Virgin Pulse is becoming **personify**™
 HEALTH
 Launching January 1, 2025



SATURDAY
29 NOVEMBER 2025
NOTRE DAME HIGH SCHOOL

2025 RSA INLAND VALLEY VOLLEYBALL CLASSIC

The Riverside Sheriffs' Association proudly sponsored the RSA Inland Valley Volleyball All-Star Classic, hosted by IESportsNet, which brought together senior athletes from Riverside and San Bernardino for a competitive and high-energy showcase. The event highlighted the talent, dedication, and sportsmanship of student-athletes as they competed in a spirited all-star format.

Designed to celebrate athletic achievement while supporting future success, the All-Star Classic provided one standout athlete from the winning team the opportunity to be named Most Valuable Player and receive a scholarship award. This recognition underscored the event's focus on rewarding both performance on the court and commitment beyond athletics.

Through sponsorship of events like the RSA Inland Valley Volleyball All-Star Classic, the Association continues to support initiatives that invest in youth, education, and community engagement. Partnering with organizations such as IESportsNet allows the RSA to play a meaningful role in programs that create lasting opportunities for student-athletes across the Inland Valley.





Summary Annual Report 2024

FOR RIVERSIDE SHERIFF'S ASSOCIATION LEGAL DEFENSE TRUST



*By Jerry Osterloh, Trust Chairman. Brett Pendleton, Trust Treasurer.
Frank Anderson, Director of Trust Operations & Finance.*

It's a fair question. When you look at your pay stub and let your eyes pass over the section entitled "After-Tax Deductions", you might notice the line item that indicates that the RSA has deducted a portion of your pay. This is the time of year that we tell you how a portion of that deduction has been used by your Association. If you have received representation by the RSA Legal Defense Trust, you are probably aware of how it (i.e. The Trust) has been of benefit to you. On the other hand, if you are like most RSA Members, you have not been a recipient of the Trust's services. This report is especially for you.

The RSA Legal Defense Trust is here for you. The LDT is considered a "prepaid group legal services plan". We hope you never need its services. If you do, we are a phone call away. We can be reached at 951.653.0130 during normal business hours or at 800.877.7317 any other time.



*To view the
entire PDF scan
the QR code.*



**SATURDAY
6 DECEMBER 2025
HIGHLAND FAIRVIEW**



2025 COOKIES WITH MRS. CLAUS

The Riverside Sheriffs' Association proudly hosted another successful Cookies with Mrs. Claus event, welcoming families for an afternoon filled with holiday spirit, creativity, and connection. Children enjoyed decorating cookies, sipping festive beverages, and spending time with Mrs. Claus, creating memories that made the season extra special. This beloved annual tradition continues to be a meaningful way to bring our members and their families together while celebrating the joy and warmth of the holidays. From shared laughter to the excitement on the faces of the kids, the event reflected the strong sense of community that defines the Riverside Sheriffs' Association. We extend our sincere gratitude to our generous sponsors whose support made this event possible. Their continued commitment allows us to host family-focused events that strengthen connections, support our members, and create lasting holiday traditions. Events like Cookies with Mrs. Claus exemplify our mission of Serving Those Who Serve, and we are thankful to everyone who helped make this celebration a success.



THANKS TO OUR *sponsors*



County of Riverside
Supervisor - 5th District
Yxstian Gutierrez



Law Enforcement's Premier
Financial Services Provider



Moreno Valley Councilwoman
CHEYLYNDA BARNARD

December 16, 2025

Chapter 13, Retirees, Update

Lester Harvey

Chapter 13 Director, Retirees

Congratulations, RSA retirees. We have seen the 2025 year come in full force, and now it is in the makings of being a memory. We had the opportunity to collectively socialize and enjoy fellowship with each other through brunch events and range qualifications. It will be an honored privilege to do the same in 2026, and create new memories.

However, with the passing of each year, so does the earthly passing of certain individuals whom we have grown close with during our multi-decade travels in public safety and service to the community. It goes without saying from the retired public safety community that our hearts, prayers and thoughts are with every single individual who dons the peace officer uniform each day, placing their lives on the line for their fellow citizen.



In 2025 (through December 16, 2025), 92 officers across our nation lost their lives - in the line of duty. Fortunately, this number equates to a 43% decrease from the previous year, but yet it is too far great a number, no matter how small. This is a statistic that often goes unnoticed, but that statistic rings loud and clear to the affected officers, their supporting family members, and close friends.

It is instrumental that we continue to support our law enforcement community and safeguard the rights of our active-duty responders by voting for law-and-order candidates and strengthening peace officer associations and unions across our nation. Equally important is contributing to your local public safety peace officer's relief foundation.

The purpose of the Riverside County Deputy Sheriff Relief Foundation is to never forget those who have been wounded or given their lives for civil order within our society. Many families are left behind to pick up the pieces in the aftermath of an on-duty tragedy, and the relief foundation will always be there for support.

Your support makes a significant impact!
Stay safe and vigilant. ★

CHAPTER UPDATES

PRO

FORCE

LAW ENFORCEMENT

Firearms and Tactical
Equipment for Law
Enforcement Professionals

**PROMOTION
ENDS 1/31/2026**

 <p>\$759.99</p> <p>METAL FRAME 13808</p> <p>Smith & Wesson</p> <p>M&P 2.0 OPTIC READY</p> <p>CALIBER: 9MM CAPACITY: 17+1 SIGHTS: NIGHT SIGHTS BARREL LENGTH: 4.25"</p>	 <p>OPTIC READY</p> <p>\$554.00</p> <p>EC9459B-3D-FL</p> <p>SPRINGFIELD ARMORY</p> <p>ECHELON 9MM</p> <p>CALIBER: 9MM CAPACITY: 17+1 20+1 SIGHTS: NIGHT SIGHTS BARREL LENGTH: 4.25"</p>	 <p>\$844.99</p> <p>81000284</p> <p>HK</p> <p>VP9</p> <p>CALIBER: 9MM CAPACITY: 17+1 SIGHTS: NIGHT SIGHTS BARREL LENGTH: 4.09"</p>
 <p>19100</p> <p>\$589.99</p> <p>CA APPROVED</p> <p>RUGER</p> <p>PC CARBINE</p> <p>CALIBER: 9MM CAPACITY: 10+1 SIGHTS: GHOST RING BARREL LENGTH: 16.12"</p>	 <p>\$533.02</p> <p>SS-2306-P</p> <p>SHADOW SYSTEMS</p> <p>DR920 FOUNDATION SERIES</p> <p>CALIBER: 9MM CAPACITY: 17+1 SIGHTS: FIXED OPTIC READY BARREL LENGTH: 4.5"</p>	 <p>RMHD2-C-320002</p> <p>\$714.99</p> <p>Trijicon</p> <p>RMR HD RED DOT</p> <p>3.25 MOA ADJUSTIBLE LED RED DOT SIGHT</p>

LOOK

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CORRECTIONAL OR COURT
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\$2 BILLION in Personal Injury Results

\$300
MILLION

class action settlement
on behalf of consumers
against Epson America, Inc.

\$62
MILLION

settlement for a **wrongful
death**

\$44
MILLION

on behalf of **air crash
victims** at Long Beach
airport in California

\$30
MILLION

on behalf of eight
children and families of
sexual abuse scandal

\$15
MILLION

settlement due to **traumatic
limb loss** and **amputation**

\$10
MILLION

for a **construction
worker** who suffered
on-site injuries



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\$150 MILLION

in Employment Law Results

\$13.1
MILLION

for two male **LAPD police officers** who were discriminated and retaliated against on the basis of their sex

\$10.1
MILLION

for an **LAPD Captain** who was retaliated and discriminated against

\$4.3
MILLION

for a **veteran LAPD Lieutenant Officer** who was subjected to disability discrimination and retaliation after suffering a severe back injury

\$3
MILLION

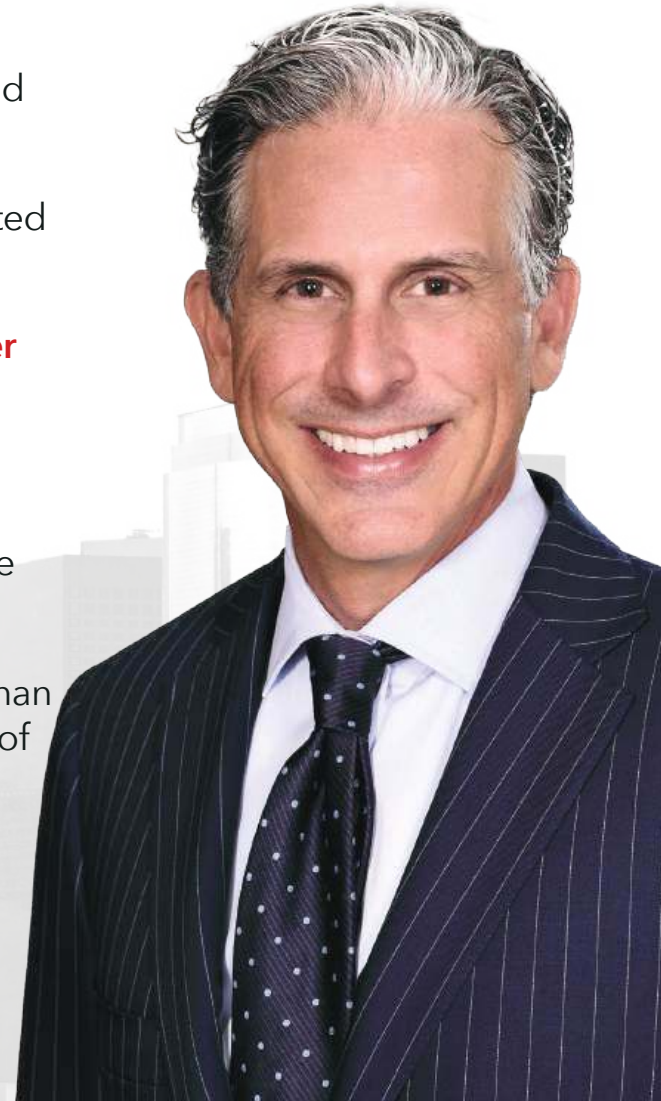
for six **LAFD firefighters** who blew the whistle on unsafe practices

\$1.5
MILLION

for a **firefighter** who endured more than three years of harassment as a result of an on-duty injury




\$1.5
MILLION

for two **firefighter recruits** who were discriminated, harassed and retaliated against



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GOVERNMENT AFFAIRS

Mary Arrizon
Government Affairs Manager



A Year in Review

As the year wraps up, it is naturally a time of reflection of efforts made, and accomplishments achieved in the past year. It's not a secret that many changes have been implemented at RSA, all in the effort to fulfill RSA's purpose, to serve those who serve. Although there were several internal changes throughout the past year, strides were made. As your Government Affairs Manager, I had the honor of representing RSA at several key meetings and events this year, and I also had the privilege of organizing a few events for RSA. (Events depicted on the following page.) In these moments, I am able to share union priorities and challenges with community leaders and stakeholders and learn about their priorities and challenges in the same. This is the way many partnerships are made and maintained. In looking back at my interactions this past year, a few things remain clear. First, Riverside County residents and leaders within our communities continue to call for more public safety support, not less. I am confidently and accurately able to share this with elected officials and candidates seeking office. Second, for many stakeholders, RSA is the only law enforcement group that they interact with on a community-relations level. People don't always understand the inner workings of the department, the union, and their roles, but they always understand positive and negative interactions. For me, it is a priority to maintain strong relationships with partners, leaders, and individuals whose support will ultimately be of benefit to our members. Below is a partial list of specifically those partners that have helped us make things happen in the past year (and prior).

- Windmill Canyon Ranch
- San Manuel Band of Mission Indians
- Stone & Busailah LLP
- Law Office of Matthew Hill Esq.
- Office of Supervisor Yxstian Gutierrez
- Office of Supervisor Manny Perez
- Office of Supervisor Karen Spiegel
- Highland Fairview Operating Company
- City of Rancho Mirage
- Jeff Gonzalez for Assembly
- Leticia Castillo for Assembly

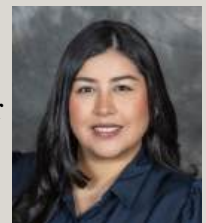
- Standard Riverside LLC
- Troast & Associates
- Kyle Wilder, Wilder Racing
- Inland Empire Coalition
- Fraternal Order of Police
- Ryan Sherman, Sherman Consulting
- California Coalition of Law Enforcement Associations
- Councilwoman Cheylynda Barnard
- Karla Rodriguez, LAPFCU
- Coachella Valley Unified First Responders Coalition
- VP Danny Kitt, CAL Fire 2881
- Horizon Helix
- SEBA
- Graystone Consulting

Whether it was contributing to our Political Action Committee, providing event venues, donating to the Relief Foundation, sharing vital information to keep us in the know, or simply attending in support of our events, each of our partners continues to support our mission. For that, I am extremely grateful. I will work to continue to build upon this and find shared priorities within the community. I remain committed to be a voice for RSA members while I work out in the public eye. Whether it's at a leadership roundtable event with elected officials, or while organizing another Cookies with Mrs. Claus event, I look forward to continue serving you, our members. I wish each one of you a very safe and very prosperous new year!

Sincerely,

Mary Arrizon

Government Affairs Manager
mary@rcdsa.org
951-653-5152, ext. 1212



2025 Government Affairs Recap



RSA attends California Coalition of Law Enforcement Associations (CCLEA) Legislative Reception



Senator Rosilicie Ochoa Bogh holds first Rancho Mirage Townhall Meeting



Natasha Johnson wins State Assembly Special Election



County Board of Supervisors Meetings



RSA Supports Eastvale Chamber Fire & Police Appreciation Luncheon



RSA holds a Public Safety Roundtable



Sheriff Bianco kicks off his campaign for CA Governor at Silverlakes Sports Complex



Perez for Supervisor Fundraiser



Hestrin for DA Fundraiser



RSA supports Palm Desert Public Safety Luncheon



RSA PAC Hockey Game Fundraiser



RSA Member Event - Cookies with Mrs. Claus



CAL Cities Luncheon



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NCUA
National Credit Union Administration, a U.S. Government Agency

*Offer valid through December 31, 2025. Existing LAPFCU loans do not qualify. Must refinance a personal loan, credit card debt, or vehicle loan (auto, motorcycle, boat and watercraft, motor home, and travel trailer loans) from another lender that is at least \$10,000. Credit card debt from another lender is eligible for this offer when refinanced into a personal closed-end loan. Offer applies to each eligible loan. The \$250 will be credited to the primary applicant's S1 Share Savings Account within 60 days after loan origination. Offer subject to change or cancellation at any time without notice. May not be combined with any other offers. Other restrictions may apply. Please ask for complete details.** Applies to both auto loans and personal closed-end loans, within policy. Number of total payments on your auto loan and/or personal closed-end loan remains the same, and interest continues to accrue during deferred payment months. Deferring an auto loan payment may void your GAP Advantage. Please call us at 877-695-2732 for details. 0925-005

Chef's Corner

Apple Pie Wonton Cups



Cook Time: 8 Minutes



Prep: 10 Minutes



Serves: 12-24

Ingredients:

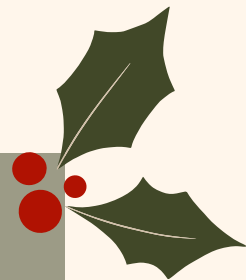
- Wonton Wrappers
- 5 Cups Peeled & Diced Apples
- 2 Tbsp Butter
- 1/3 Cup Brown Sugar
- 2 Tbsp White Sugar
- 2 Tbsp Water
- 1 Tsp Cinnamon
- Pinch of Salt
- Whipped Cream

Instructions:

- Step 1: Grease a mini muffin pan, and preheat oven to 350 degrees.
- Step 2: Using a pastry shaper, or your fingers, place the wonton wrappers into the pan and shape.
- Step 3: Bake until browned for about 8 minutes.
- Step 4: Remove the wrappers and wait and cooled.
- Step 5: While cooling, place butter, sugar, apples, cinnamon, and water into a sauce pan. Heat over medium heat, stirring frequently until apples are soft and liquid is almost absorbed, approximately 20 minutes.
- Step 6: Remove from heat and let cool until warm.
- Step 7: Scoop apple mixture into each wonton cup, top with whipped cream and serve immediately.



Tag us on social media with your attempts at the recipes @rsachowshack



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Discount Hotel Reservations
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Exclusive employee savings on select products

sam's club



Garmin
Save up to 20% on select Garmin products



Walt Disney World Resort
Save up to \$78

RIVERSIDE SHERIFFS' ASSOCIATION

MEMBER'S GUIDE

Organization **RSA**
Members **4,000+**
President **Bill Young**
Area **Riverside County**



RSA COMMITTEES

RSA currently counts with 12 committees. These committees have been established to carry out the objectives of the Association, and to help carry out the policies and programs established by the Board of Directors and general membership.

TOP OBJECTIVES OF RSA

The Riverside Sheriffs' Association is the Exclusive Employee Organization representing our members employed by the Riverside County Sheriff's Department. The Riverside County Sheriff's Department is one of the largest Sheriff's Departments in California.

Represent

To not only represent its members but to advance the social, economic, educational and general welfare of its members. We are committed to fighting for all RSA members.

Seek

To seek legislation necessary or conducive and play an active role in the political arena in furtherance of the interests of the membership.

Promote

To promote the professional interest of the members and protect their rights to such economic, educational and other benefits and services as may be desirable.

Assist

To provide aid through the Riverside County Deputy Sheriff Relief Foundation to members and their families facing life changing crises.

The Riverside Sheriffs' Association began as the Riverside County Sheriff's Training Center Corporation in 1943, but since then has evolved into a labor organization that represents members, individually or collectively, in all matters relating to their employer-employee relations, including but not limited to grievances, labor disputes, hours, wages, and to other terms and conditions of employment as prescribed by law.

- Legal Coverage Appeals Board
- Legal Review Committee
- Legal Defense Trust
- Political Action Committee
- Benefit Trust Board
- Riverside County Deputy Sheriff Relief Foundation
- Special Events & Donations
- Award Review Board
- Collective Bargaining Committee/LEBU
- Collective Bargaining Committee/CDBU
- Collective Bargaining Committee/PSU
- Trailer Committee

FUN FACTS ABOUT RSA

We have been able to provide donations to over 50 organizations and/or special events this year up to date.



RSA has a dedicated staff of 16 people.

RSA is one of the largest Sheriffs Associations in California.



We have snacks in our office!

www.rcdsa.org

Serving Those Who Serve

RIVERSIDE SHERIFFS' ASSOCIATION

WWW.RCDSA.ORG

Christmas Cheer All Year Charity Golf Tournament




RSA was proud to help sponsor the Christmas Cheer All Year Charity Golf Tournament, put on by the Morongo Band Of Mission Indians. Hosted by Rick Lozano, it was held Dec. 5 at Tukwet Canyon Golf Club in Beaumont.

Players representing RSA at the tournament included: Mark Folscado, Gary Cordry, Shane Day, and Joe Jimenez.


Baltimore Orioles Hall of Famer Don Buford, 88, was on hand, lending some of his athletic celebrity star power.

RSA'S TEAM: RSA golf team of Mark Folscado, Gary Cordry, Shane Day, and Joe Jimenez with former Baltimore Orioles player Don Buford.





DON BUFORD



- Spent 5 of his 10 big league seasons with the Orioles (1966-72), mostly playing LF.
- Played 5 years for White Sox, mostly at 2B, before joining Orioles in 4-player trade 11/29/67.
- Became consummate lead-off hitter, scoring 99 runs in each of O's pennant winning seasons 1969-71.
- First Oriole to homer from both sides of the plate in one game (4/9/70).
- First player to lead off World Series with a home run, off Mets' Tom Seaver in 1969.
- 1971 AL All-Star, when he hit a career-high 39 HR and led league in runs scored.
- Elected to Orioles Hall of Fame in 1993 and USC Athletic HOF for baseball and football in 2001.

MLB Totals (1963-72)					
G	AB	R	HR	RBI	AVG
1286	4553	1203	93	418	.264

VISIT WWW.MJMLB.COM FOR MORE INFORMATION ON YOUR FAVORITE PLAYERS

THROWBACK



Take a look back in time to spotlight our law enforcement heritage. The APB highlights an image each month.

Have a photo of your own you want to feature? Send it to Julie Kelley at julie@rcdsa.org.



RIVERSIDE COUNTY SHERIFF'S AVIATION UNIT, 1980.



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**POLICE POWER
PREVAILS:
COURT SAYS NO FIFTH
AMENDMENT
“TAKING” FOR
DAMAGE IN LINE OF
DUTY SWAT TEAR GAS
CASE**

*Pena v. City of Los Angeles,
No. 24-2422 (9th Cir. 2025)*

Facts:

In *Pena v. City of Los Angeles*, the plaintiff – a business owner – had an armed fugitive enter his shop. A standoff with law enforcement occurred, leading to LAPD SWAT officers using tear gas to subdue the fugitive. The tear gas caused significant damage to the plaintiff’s property, with damages estimated to have exceeded \$60,000.

Pena sued the City of Los Angeles, claiming that the damage to his property constituted a “taking” under the Fifth Amendment’s Takings Clause. A “taking” under the Fifth Amendment is when the government seizes private property (typically land) for public use, which in turn requires the government to pay the property owner.

**Understanding the Takings Clause for Law
Enforcement:**

The Takings Clause is found in the Fifth Amendment to the U.S. Constitution and states: "nor shall private property be taken for public use, without just compensation." This means that when the government takes someone's private property for public use – such as building a highway or public building – it must pay the owner fair market value.

However, there is an important distinction between a "taking" that requires compensation and the legitimate exercise of police power. When law enforcement takes action to protect public safety – such as breaking down a door during an emergency, using tear gas to apprehend a dangerous suspect, or damaging property while pursuing a fleeing felon – these actions are generally considered exercises of police power, not “takings” requiring compensation. The key difference is that police power actions are taken to prevent harm or enforce the law, not to acquire property for public use.

Both the trial court and the Ninth Circuit Court of Appeals ruled in favor of the City, stating that the destruction of the plaintiff’s property by law enforcement during a reasonable and necessary public safety action was a valid exercise of police power and did not constitute a taking under the Fifth Amendment.

The Court drew a distinction between the government’s police power (used to protect public safety) and its “eminent domain power” (used to acquire property for public use). Damage resulting

from a legitimate exercise of police power, like using force to apprehend a dangerous suspect, does not fall under the Takings Clause.

Takeaway:

This case is important for law enforcement, as it makes clear that a person does not have a constitutional Takings Claim against the government for damages or destruction of property by law enforcement when acting reasonably in the necessary defense of public safety. Officers can take reasonable actions to protect the public – including actions that may damage private property – without triggering the government's obligation to compensate property

owners under the Takings Clause. When law enforcement must damage private property to protect the public or apprehend a dangerous suspect, that destruction, if reasonable under the circumstances, necessary for public safety, and proportional to the threat faced does not require compensation under the Fifth Amendment.

This protection allows officers to make split-second decisions in dangerous situations without worrying about exposing their department to Takings Clause liability.

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BLAST BALL OR EXCESSIVE FORCE?

9TH CIRCUIT SAYS CONTEXT CONTROLS

Cheairs v. City of Seattle
No. 24-3163 (9th Cir. 2025)

Case Summary:

During a 2020 Seattle protest following the death of George Floyd, Taylor Cheairs was filming the event when he was injured by a blast ball grenade thrown by a Seattle Police Department officer. The blast ball hit the pavement, bounced, and struck him in the groin causing a serious injury.

Cheairs sued the City of Seattle and SPD under 42 U.S.C. § 1983, claiming a 4th Amendment seizure occurred through the use of the blast ball. He also alleged First Amendment retaliation claiming he was targeted for recording police activity.

The district court granted summary judgment for the City and SPD, finding no unlawful Fourth Amendment seizure and no First Amendment retaliation. The Ninth Circuit affirmed the summary judgment ruling for the City and Police Department.

Holding:

The Ninth Circuit affirmed the district court's judgment, holding that (1) although a reasonable fact

finder could conclude that Cheairs was “seized”, the officer's use of force was reasonable under the circumstances. Additionally, (2) Cheairs failed to establish a viable First Amendment retaliation claim.

Analysis of how the Court reached its ruling:

Issues:

- (1) Did the SPD officer's use of a blast ball grenade constitute a seizure under the Fourth Amendment?
- (2) Were the SPD officer's actions in retaliation for Cheairs filming the protest, thus violating his First Amendment rights?

Court's Analysis and Rationale:

Fourth Amendment Claim - Use of Force and Seizure:

A “seizure” occurs when an officer intentionally applies force to restrain an individual's movement. The court found that the intended use of blast balls is to disperse crowds, not to incapacitate like with high-velocity munitions (rubber bullets or bean bag rounds).

The court concluded that the use of force was reasonable given the protest's escalating violence, the officer's duty to maintain public safety; and found no evidence that the officer targeted Cheairs personally.

First Amendment Claim - Retaliation Claim:

To prove retaliation, a plaintiff must show their protected activity, here filming was a substantial or motivating factor in the officer's conduct. The record lacked evidence that the officer even knew Cheairs was filming, much less that he acted in retaliation for that activity.

Municipal Liability: The Ninth Circuit court affirmed the district court's summary judgment in favor of the defendants.

Because no constitutional violation was established, the City of Seattle could not be held liable under *Monell v. Department of Social Services*, 436 U.S. 658 (1978).

Takeaways:

Context matters – crowd-control tools like blast balls or chemical agents may constitute “force” but reasonableness is judged by the totality of circumstances, which include the threat to officer safety and property.

Documentation is protection – clearly record the purpose and conditions when less-lethal munitions are deployed to demonstrate objective reasonableness. Be clear in articulating specific threats.

Awareness of observers – while filming the police is protected by the First Amendment, officers may not be liable for retaliation unless they act because of the recording.

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3		4		1	9			
	8			6	4			7
		3		5	8		9	
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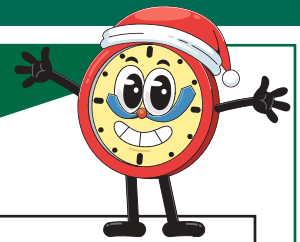
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Preston Van Buren Swanguen EOW: December 24, 1907	Edward Michael Schrader EOW: July 11, 1974	James W. Lehmann, Jr. EOW: January 5, 1997	Harry Cohen EOW: October 18, 2020
Leroy H. Tripp EOW: April 10, 1916	James Bernard Evans EOW: May 9, 1980	Eric Andrew Thach EOW: October 8, 1999	Julio Beltran EOW: November 14, 2020
Henry Fredrick Nelson EOW: September 22, 1921	Dirk Alan Leonardson EOW: October 4, 1980	Jim W. Purkiss EOW: April 16, 2001	Steve Taylor EOW: February 24, 2022
Theodore Crossley EOW: September 22, 1921	Michael David Davis, Sr. EOW: October 24, 1988	John Towe EOW: February 15, 2002	Isaiah Cordero EOW: December 29, 2022
Howard R. Scheffler EOW: February 29, 1956	Randy Robert Lutz EOW: June 22, 1989	Brent Jenkins EOW: March 18, 2003	Darnell Calhoun EOW: January 13, 2023
Roger Allen Strong EOW: August 7, 1961	Kent A. Hintergardt EOW: May 9, 1993	Bruce Lee EOW: May 13, 2003	Brett Harris EOW: May 13, 2023
William Joseph Rutledge EOW: May 14, 1969	Mark S. Kemp EOW: November 9, 1994	Manuel Villegas EOW: March 19, 2007	Timothy Corlew EOW: January 8, 2025

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Officer Osmar Rodarte Marysville Police Department EOW: March 26, 2025	Parole Agent Joshua Byrd CA Dept. Of Corrections And Rehabilitation EOW: July 17, 2025	Detective Joshua Kelley-Eklund Los Angeles County Sheriff's Department EOW: July 18, 2025	Officer Alec Sanders Alhambra Police Department EOW: November 20, 2025

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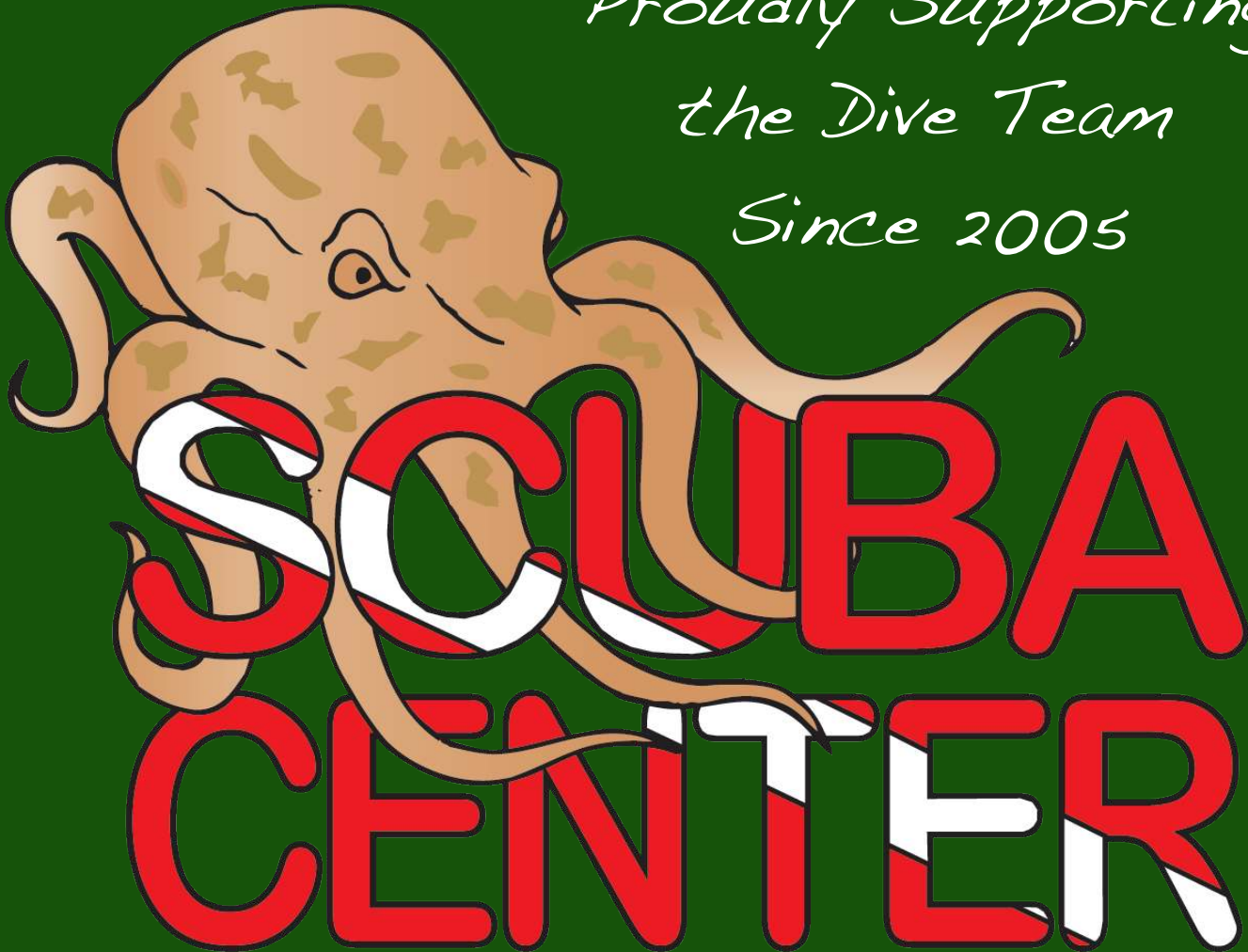
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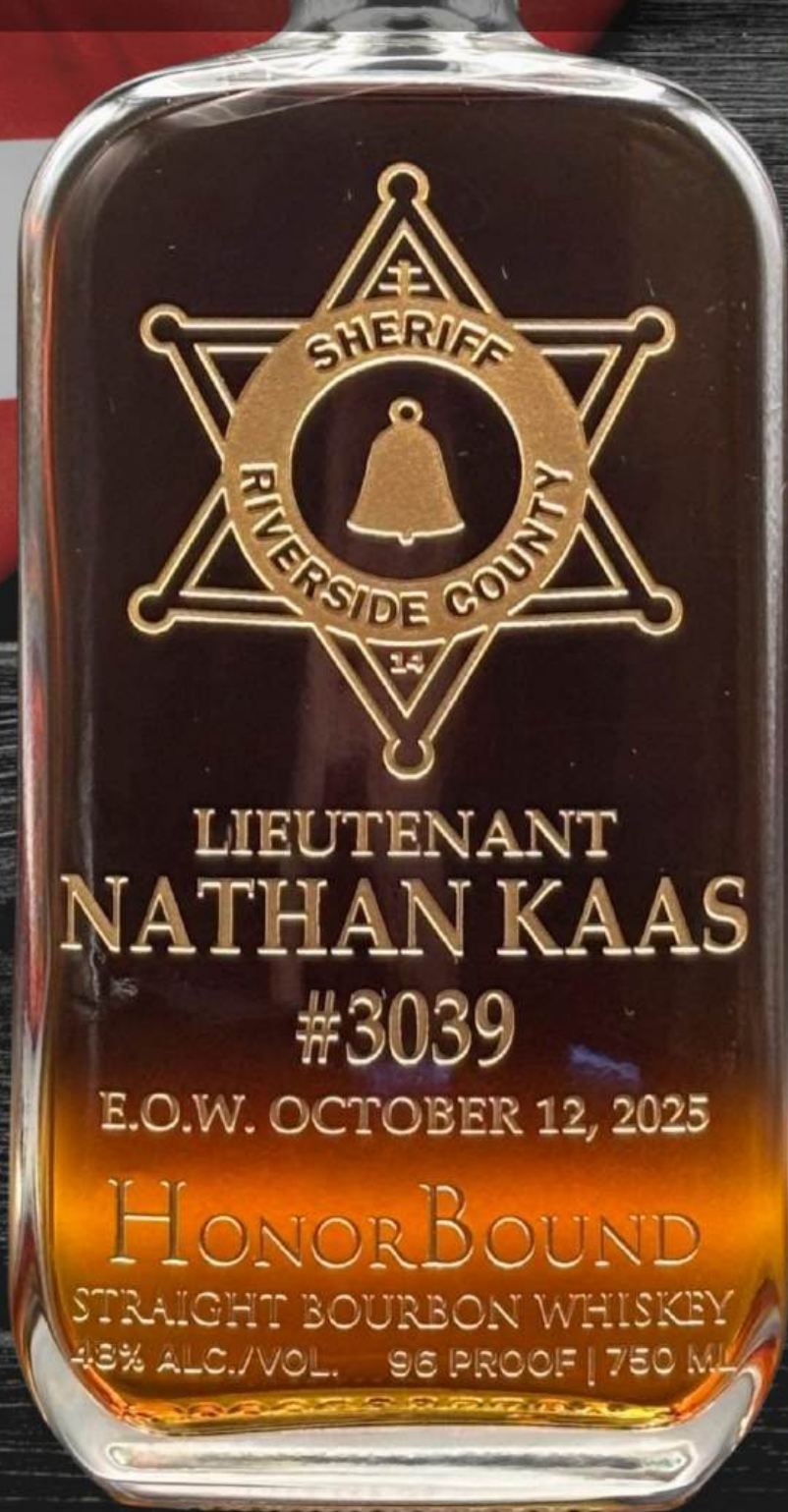
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To access the news & information center members are required to log on and register by clicking on the "RSA Members Only" link then follow the instructions. Once registered members will also be able to update their own on-line profiles at anytime (email addresses, user name & password, etc). Members are urged to keep their information current at all times to avoid missing important updates from the Association.

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