

Dan Gurule
Peace Officers of California
P.O. Box 631
Sacramento, CA 95812

October 24, 2008

Richard Carrillo
California Statewide Law Enforcement Association
2029 H Street
Sacramento, CA 95811

Dear Mr. Carrillo,

This is in response to your letter dated October 16, 2008 regarding Notice of Ineligibility to Resume Membership Status.

You allege I violated Article XX, Section 2 (e) of the California Statewide Law Enforcement Association (CSLEA) Constitution which prohibits: "Any activity which assists or is intended to assist a competing organization within the jurisdiction of CSLEA."

However, Article X, Section A. 1. states in part, "The charges shall be specific, citing in detail the nature, the date, and the circumstances of the alleged offense and, where violation of a Constitution or Standing Rules provision is alleged, the specific sections shall be cited, along with the specific act or omission which constitutes the alleged violation."

The charges filed against me are not specific, citing in detail the nature, the date, and the circumstances of the alleged offense, nor has a specific act or omission been cited.

The charges filed against me are procedurally deficient per Article X, Section A. 1 and should be dismissed without delay. Nevertheless, I will address the general nature of the charges filed against me.

According to the Public Employment Relations Board (PERB) Regulation, Article 2, an employee organization, Peace Officers of California (P.O.C.), may file a petition to become the exclusive representative for sworn peace officer within Bargaining Unit 7.

On September 18, 2008, PERB determined P.O.C.'s severance petition was timely filed and included submitted sufficient proof to meet their requirements.

Therefore, the actions of P.O.C. and its members are lawful and proper. However, the actions of CSLEA are in contradiction and violation of law and the Memorandum of Understanding (M.O.U.) BU-7, between the State of California and CSLEA.

Specifically, Govt. Code Section 3519.5 (b) and Article 2.6 of the BU-7 MOU, states it shall be unlawful for CSLEA to impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights guaranteed by the Ralph C. Dills Act and the BU-7 M.O.U.

Agents of CSLEA, specifically Ricardo Sanchez and Karen Meredith, have relayed to employees that CSLEA is aware of those employees who have supported P.O.C. and signed severance cards and they will be dealt with and punished.

I suggest you advise CSLEA to cease and desist its attempts to coerce, harass and restrain employees of BU-7 simply because they choose to exercise their rights. Stop squandering our dues money and support our right to vote for a peace officer only bargaining unit.

I hereby request a formal hearing. Officer Paul Voettiner, CSLEA Job Steward at Metropolitan State Hospital, has agreed to represent me at said hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Gurule', written over the word 'Sincerely,'.

Dan Gurule
P.O.C. Vice President-Southern California
P.O.C. Interim Director HPAC