Since taking office on February 28, 2015, the Board of Directors and I have been very busy working on your behalf, particularly, in the area of communication with our membership. We updated our Facebook page, improved our Twitter communication and upgraded our website. The board approved the launch of a quarterly newsletter to keep you abreast of Probation related issues, as well as, retirement, workers’ compensation, community engagement and promotions/advancements.

You may or may not be aware that BPOA is no longer accepting Sun Life Financial or Health Insurance payments through payroll deduction. This arrangement, which was made by Independent Public Employees Association (IPEA), was rescinded on February 15, 2015. Although BPOA was not involved in this transaction, we feel that it is important to pass this information on to you (see Sun Life Financial Letter on page 5). We apologize for any inconvenience. Should you have any questions, please contact your insurance provider directly.

For those who did not get the opportunity to attend BPOA’s 45th Anniversary Training Conference, we had a tremendously successful and educational event. However, next year promises to be an even greater event. The 48th Anniversary Training and Celebration Conference is scheduled for February 18-19, 2016 at the DoubleTree By Hilton Hotel in Norwalk, California. This will be your opportunity to attend the best law enforcement conference in Southern California. Los Angeles County District Attorney Jackie Lacey will serve as the keynote speaker and will participate on a panel with Los Angeles County Public Defender Ronald Brown and others to discuss diversion and reentry in the criminal justice system. Additionally, United States Representative 37th Congressional District Karen Bass and Los Angeles County Assistant Chief Probation Officer Margarita Perez will join a panel to discuss criminal justice reform, particularly in African American and Latino communities on Friday, February 19, 2016.

BPOA has a long history of supporting student academic achievement through its Scholarship Committee. The Scholarship Committee was founded to recognize and promote our youth, regardless of their economic background, race, ethnicity or gender. During the conference, several outstanding young adults will be awarded scholarships to further their education. If you are interested in serving on the Scholarship Committee, please contact the Committee Chairwoman, June Small, at lacbpoa@gmail.com.

Lastly, I am very thankful for our outstanding team, which includes Vice President Cherese Simmons, Recording Secretary Michele Kennedy, Treasurer Mary Luckett and Corresponding Secretary Cheryl Jackson. As a predominantly volunteer organization, we strongly encourage your participation. If you would like to serve on a committee, please let us know. If you need to contact me, please email me at ychery2013@gmail.com or call me (323) 908-6200. Don’t forget to “like” us on Facebook.

I close with a quote from Dr. Martin Luther King Jr., “Human progress is neither automatic nor inevitable. Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals”.

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Anthony Deavers, who started as a Detention Service Officer at Los Padrinos Juvenile Hall, has been in the Los Angeles County Probation Department for more than eight years. He is currently a Deputy Probation Officer I at Camp Scudder. Mr. Deavers has a Bachelors of Arts Degree in both Liberal Arts and Social Studies from the Western Kentucky University. When he’s not at work or enjoying family time, Mr. Deavers spends his time in the ring teaching kids how to box.

As the Membership and Recruitment chair, Mr. Deavers will help to coordinate membership engagement events and activities. For membership information, please go to www.lacbpoa.com or email us at lacbpoa@gmail.com, we look forward to hearing from you.

Legal Corner: When Your Job Matters, Experience Matters
By Bonnie Lane, Attorney

There have been recent changes in promotional examinations within Los Angeles County, which raises issues of disparate impact on long-term employees over the age of 40.

Following the U.S. Supreme Court’s landmark case, Griggs v. Duke Power Company, the federal government recognized the need for a uniform set of principles on the question of the use of tests and other selection procedures. The Equal Employment Opportunity Commission, the Civil Service Commission, the Department of Labor and the Department of Justice jointly adopted uniform guidelines to meet that need.

Under the Uniform Guidelines on Employee Selection Procedures, the use of any selection procedure which has an adverse impact on the hiring or promotion of members of any race, sex, ethnic group, or people over the age of 40 will be considered to be discriminatory and inconsistent with these guidelines, unless the procedure has been validated in accordance with these guidelines. Among several requirements, the guidelines specify that the test must show “content validity,” which means that it must be genuinely connected to the job and should closely resemble the actual working conditions of the job in order to be valid.

Welcome New Members

- Cierra Bryant
- Darren Deckard
- LaShonne Gary
- Nakeshia Grimes
- Nikia Martin
- Maurice Shield Sr.
- Cathryn Trotter
- Latisha Walker

Update Your Membership Information
In an effort for us to continue improving membership communication, we kindly request your personal email address and your current home address. To be added to our e-blast list, please go to www.lacbpoa.com and click on “PLEASE MAKE SURE YOUR PERSONAL INFORMATION IS UPDATED” at the home page.
BPOA Values Youth and Higher Education with Scholarships

By June Small Lashley, Scholarship Committee Chair

The Black Probation Officers Association (BPOA) is especially proud of its annual scholarship program. Between 2010 and 2014, close to $21,000 has been awarded to college-bound graduating students and continuing college students. Originally, the scholarships were based on requests from interested parties regarding needy students. Under the leadership of Scholarship Chair June Small Lashley, new criteria was established with committee members Shirley Alexander (Retired Bureau Chief), the late Elmo Cormier (Retired Director), Louise Dodson, Nila Neat (DPO II) and Debra Thomas (Parole Agent).

Since BPOA values its trailblazers and the path they created for others to follow, awards are named in their honor, as follows: Lorraine Ingram “Character Counts” Scholar; William O. Jordan “Badge of Courage” Scholar; Nelson Offley Memorial Scholar; Emma J. Thomas Humanitarian Scholar; BPOA Founders Scholar; Melvin Arterberry “Lifetime Achiever” Scholar; and Winston Washington Motivator Scholar award. Up to seven scholarships are awarded annually. One award is reserved for the son/daughter of a BPOA member.

Applications are distributed to Los Angeles County schools, places of worship and community organizations. The eligibility requirements include students attending school in Los Angeles County, a minimum GPA of 2.0; community service hours; involvement in and/or excelling in extracurricular activities; a completed application and two letters of recommendation—one from nonfamily member and the other from school staff. Although grades show great probability of future success, the committee also values character traits, consistency and well-rounded students as potential successes as well.

Awards, normally distributed at the Annual Scholarship Breakfast, have also been granted during BPOA conferences. Past keynote speakers include Mark Ridley-Thomas, Aja Brown, Dr. George McKenna III and the late Marguerite LaMotte. We are very grateful to Clint Arnold, a veteran photographer and retired DPO II, for capturing and memorializing BPOA’s long and rich history through the lens of his 35mm camera for nearly 40 years. From Seattle to West Point, from San Diego to Atlanta, including the local students at Loyola-Marymount, USC and UCLA, our talented and ambitious past recipients have blossomed out to expand their knowledge and human potential. If you would like to know more about how you can get involved in finding and supporting our future leaders, please contact Committee Chairwoman, June Small Lashley at (310) 654-1764 or lacbpoa@gmail.com. You will definitely have a place to fit in!

Cheryl Jackson-Wilson, CPPCA President was recognized by BPOA

For more than 3 years, Cheryl Jackson-Wilson, the President of California Probation, Parole and Correctional Association has been serving as BPOA’s Corresponding Secretary. In recognition of her unwavering dedication to the Black Probation Officers’ Association and CPPCA, she was presented with a plaque by BPOA at CPPCA’s 2015 Fall Conference. Her commitment to these organizations and the Field of Community Corrections has greatly contributed to rebuilding lives and providing for healthier and safer communities throughout the State of California and the County of Los Angeles.
SAVE THE DATE

L.A. County Black Probation Officers Association Training Conference
“Celebrating 48 Years of Collaboration and Partnership”

Confirmed Conference Speakers (partial list)

Jackie Lacey
Los Angeles County District Attorney

Margarita Perez
Los Angeles County Assistant Chief Probation Officer

William Scott
Deputy Chief LAPD, South Bureau

Karen Bass
U.S. Representative 37th Congressional District

Ronald Brown
Los Angeles County Public Defender

February 18 -19, 2016
DoubleTree by Hilton Hotel * 13111 Sycamore Drive, Norwalk, CA 90650

The full two-day registration package covers: attendance at the conference (Thursday & Friday), breakfast, lunch, vendors/exhibits, admission to network reception, 12-hours of STC classes, and prizes. TICKETS: $175.00

The Probation Department approved 50 scholarships for the BPOA 48th Anniversary Training Conference, which will provide 12-hours of STC credit over two-days. Additionally, all Los Angeles County Probation staff may attend on County time. If you are interested in participating on the Planning Committee or for more information, please go to our website: www.lacbpoa.com or email us at lacbpoa@gmail.com.

Michele Kennedy, Michele.Kennedy@probation.lacounty.gov
Cheryl Jackson, lacbpoa@gmail.com (626) 798-1346
Anthony Deavers, lacbpoa@gmail.com (270) 303-6307
Yves Chery, lacbpoa@gmail.com (323) 908-6200
September 25, 2015

Sent by Federal Express, Certified U.S. Mail and email

Ms. Shahida Wynne
Independent Public Employees Association
8608 Utica Avenue
Rancho Cucamonga, CA 91730

Re: Rescission of Group Policy No. 240282
Independent Public Employees Association/Los Angeles County Probation Department
Notice of policy rescission

Dear Ms. Wynne:

We, at Sun Life Assurance Company of Canada ("Sun Life"), have completed a review of the above-referenced policy upon inquiry from the California Department of Insurance (the "Department") and receipt of its Final Order to Cease and Desist made against The Black Probation Officers Association Inc. and IEA Inc. d/b/a I.E.A. Administrators, dated August 26, 2015 (the "Cease and Desist Order"). As more fully explained below, this group policy which Sun Life issued to Independent Public Employees Association/Los Angeles County Probation Department is rescinded because the Independent Public Employees Association is not a legal group insurance policyholder in the State of California pursuant to California Insurance Code § 102000 et seq. Further, based upon information provided by Transamerica it appears that coverage for a significant number of members, whom you represented to Sun Life to be insured by Transamerica, had in fact terminated before February 15, 2015, the proposed Effective Date of the Sun Life group policy.

Based upon information made available to Sun Life, including the recent Cease and Desist Order, it is clear that this applicant did not properly apply for and enter into the group policy and that material misrepresentations of facts were made to Sun Life, which we relied upon to issue the group policy. While you submitted Bylaws to Sun Life for the Independent Employees Association which purported to show that the association was established for purposes other than obtaining insurance, you subsequently submitted a group insurance Application, dated February 9, 2015, in the name of the Independent Public Employees Association/Los Angeles County Probation Board. During an interview on September 1, 2015, Sun Life asked you to explain the difference in the names of the association shown in the Bylaws and in the Application for the group insurance. You attributed the difference to a simple typographical error. You then
resubmitted the same Bylaws, but with the name of the association changed to Independent Public Employees Association.

Based upon the foregoing, Group Policy no. 240282 is rescinded and is void ab initio. This means that the group policy is treated as if it had never been issued, such that no coverage was ever in place.

I. RECISSION OF THE POLICY

A. The Policy

The Policy provides that it was delivered in and governed by the laws of the State of California.

B. The Group Application

The Group Application, dated February 9, 2015, provides that “[t]he requested group insurance will be issued only if the requested insurance is accepted by Sun Life and is legally permissible … Sun Life reserves the right to re-rate any coverage retroactively to the effective date or take other appropriate actions if any information provided to us is not true or is incomplete.” (Emphasis added.)

C. Underwriting Review

After receiving the Cease and Desist Order, Sun Life’s Underwriting Department reviewed the Application, dated February 9, 2015, and information pertaining to the representations on that Application as well as representations made by you during the initial underwriting considerations—specifically your representations that only coverage that was in force as of February 15, 2015 with Transamerica would be transferred to Sun Life on that date.

The Underwriting Department has determined that if Sun Life had been provided accurate information concerning the legality of the Association, Sun Life would not have issued the group policy to Independent Public Employees Association/Los Angeles County Probation Department because the Independent Public Employees Association was not in conformity with California Insurance Code requirements. Further, if Sun Life had been provided correct information as to the coverage status of all members to be insured on February 15, 2015, Sun Life would not have agreed to insure individuals whose coverage had terminated and was no longer in force with Transamerica as of February 15, 2015 without an agreed upon and approved enrollment strategy.
D. The Policy is Rescinded

The Cease and Desist Order made as a finding of fact, "[t]he IEA group policies do not conform to the California statutory requirements in Insurance Code § 10200 et seq. because IEA was not formed or continuously maintained in good faith for purposes other than obtaining insurance..." As such, the Association was not in conformity with the California Insurance Code and was never authorized to enter into group coverage or to become a group insurance policyholder in the State of California.

Therefore, at the issuance of the above-referenced policy, the Independent Public Employees Association was not authorized to enter into group coverage or to become a policyholder in the State of California. Based upon our review of publicly available information and the documents that you have submitted, Sun Life finds no distinction between the Independent Public Employees Association and the Independent Employees Association with respect to qualification as a group insurance policyholder under § 10200 et seq.

As a result of our determination that neither the Independent Employees Association nor the Independent Public Employees Association is a permissible group insurance policyholder in the State of California and based upon the information currently in our file, Group Policy No. 240282, issued to Independent Public Employees Association/Los Angeles County Probation Department effective on February 15, 2015, is rescinded. As explained above, this means that the group policy is treated as if it had never been issued, such that no coverage was ever in place.

On September 11, 2015, Sun Life notified you that Group Policy 240282 would terminate on October 13, 2015 effective as of September 30, 2015 due to non-payment of premium in the event that the past due premium was not paid by October 13, 2015. As the policy is rescinded, no premium is due and Sun Life will promptly return any payment of such premium. Premiums already remitted to Sun Life by the Black Probation Officers Association and L.A. County Probation Officers Union AFSCME, Local 685 Dues Trust Fund will be promptly returned to those organizations.

II. CALIFORNIA DEPARTMENT OF INSURANCE

Section 2695.7(b)(3) of the California Fair Claims Settlement Practices Regulations requires that our company advise you that if you believe your policy has been wrongfully rescinded, you may have the matter reviewed by the California Department of Insurance at:

California Department of Consumer Communications Bureau
300 South Spring Street, South Tower, 11th Floor
Los Angeles, CA 90013
(800) 927-4357 or (213) 897-8921

We trust that the foregoing fully explains the grounds for our decision. However, if you have any questions, feel free to call me at 207-289-2430.

Sincerely,

Marc M. Grover
Director of National Accounts Underwriting
Executive Board
• Yves Chery, President
• Chereise Simmons, Vice President • Mary Luckett, Treasurer
• Michele Kennedy, Recording Secretary • Cheryl Jackson-Wilson, Corresponding Secretary

Committee Chairs
• Anthony L. Deavers, Membership & Recruitment
• Emma Thomas, Retirees
• June Small, Scholarship

Staff & Consultants
Attorney Donald A. Lancaster, Esq. and MPA
• BPOA Communication Consultant Shanté Morgan-Durisseau, Morgan Communications
• BPOA Webmaster, Mitch Smith, MoonFlyte Studios

P.O. Box 8805 * Los Angeles, California 90008 * www.lacbpoa.com * lacbpoa@gmail.com

Important BPOA Notice
To ensure that correspondence from BPOA is delivered to you without delay, please update your contact information by sending an email to lacbpoa@gmail.com whenever there is a change in the method you wish to be contacted.

www.lacbpoa.com * lacbpoa@gmail.com