

May 8, 2017

Honorable Cathleen Galgiani
Capitol Office
State Capitol, Room 5097
Sacramento, CA 95814
Fax: (916) 651-4905



RE: SB362 – Department of Motor Vehicles: Records: Confidentiality

Dear Senator Cathleen Galgiani:

The San Diego Municipal Employees Association (SDMEA) strongly supports SB362. SDMEA is the exclusive bargaining representative for more than 4,200 employees of the City of San Diego. We currently represent 63 individuals serving as Code Compliance Officers and Zoning Investigators who conduct the City of San Diego's business of code enforcement in their personal vehicles.

The profession of code enforcement is inherently dangerous. Code Enforcement Officers enforce state and local laws that potentially impact the businesses and individuals involved. These laws involve health and safety, building violations, business regulations, property nuisances, and poor housing conditions. Additionally, individuals in the profession may enforce various codes that are typically not handled by law enforcement professionals as they involve land use, housing related violations, or specific local ordinances. Examples of these codes include but are not limited to; enforcement of marijuana grows linked to cartels, abatement of honey oil labs or meth labs, human trafficking as it relates prostitution in the cover of massage establishments, rental inspection, and multi-family housing in gang-ridden or drug ridden areas, etc. Enforcing such regulations exposes officers to disgruntled property owners, mentally unstable people, or criminal organizations which hinder an officer's ability to perform their duties without the fear of retaliation and can expose an officer to unsafe conditions in and out of the workplace.

Some essential tools that Code Enforcement Officers use are issuing fines, prosecuting violators, closing unpermitted businesses, issuing "Notice to Appear" citations for both infraction and misdemeanors violations, filing criminal complaints with the City Attorney/District Attorney's Office, providing courtroom testimony, preparation of documents where a jurisdiction takes legal action to seize control of property due to breaches of law or regulations, prepare and execute inspection/search warrants, seizure and impounding or destruction of property, closure of businesses, and vacating structures, homes, and land, and homeless camp abatement. In certain cases, code enforcement can cause financial hardship on violators due to imposed

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finer or by impacting business. Although these are tools of last resort when voluntary compliance cannot be achieved, these tools have lasting effects on the violators.



It is well known that a certain percentage of individuals in our society are faced with emotional or mental health problems. The outcome of those conditions as manifested in these individuals can in turn cause an emotional trigger when a sense of loss is felt against their home belongings, property interests, lifestyles, and livelihoods. This then can cause these individuals to react irrationally and out of control, and potentially violent towards the officer if they feel threatened or if they sense a potential loss.

Our Code Enforcement Officers have many examples of being fearful for their own safety while conducting the City's business, but they recognize that is part of their job and accept it. They should not have to also be fearful of their own or their family's safety while away from work.

The SDMEA has sought DMV confidentiality for the employees that we represent in the past, and have been denied this basic protection because the City of San Diego is not obligated to provide it. SB362 would change that.

Code enforcement personnel go to work to serve their community and should be afforded a certain level of protection from harm following them home. The Code Enforcement profession parallels the majority of professions already authorized for DMV confidentiality.

It is for these reasons that the San Diego Municipal Employees Association supports SB362. Thank you for your leadership on this issue and your commitment to the safety of Code Enforcement Officers.

Sincerely,

A handwritten signature in black ink, which appears to read "Marín Mejía".

Marín Mejía
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