

# BOLO

## Be On the Lookout

The Newsletter for the Los Angeles Airport Peace Officers Association



[www.laapoa.com](http://www.laapoa.com)



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## The Layover With LAAPOA, Episode 3: All About Joe Buscaino

In a recent episode of *The Layover With LAAPOA* video podcast, LAAPOA President Marshall McClain sat down with Los Angeles City Councilmember and mayoral candidate Joe Buscaino.

Buscaino, a first-generation Italian-American, is a lifelong San Pedro resident and a longtime public servant who has dedicated three decades to the City of Los Angeles — a career that started with his first adult job with the City's Department of Recreation and Parks. He then proudly served as a police officer with the LAPD for 15 years before retiring as a sergeant. Since 2012, he has represented Los Angeles City Council District 15, which includes his hometown of San Pedro as well as the communities of Harbor City, Harbor Gateway, Watts and Wilmington. He now has his sights set on serving and giving back to the city as mayor.

To learn more about Buscaino, his aspirations, his experiences as a police officer-turned-politician and much more, view the episode at [laapoa.com/news-and-events/the-layover-with-laapoa](http://laapoa.com/news-and-events/the-layover-with-laapoa).

Here are a few highlights from the episode:

### Family Values

Buscaino's parents emigrated from Sicily to San Pedro in the late 1960s in pursuit of the American dream. He shares that they came to the port because the then-lucrative fishing industry offered them an opportunity to escape poverty and tough times in Italy. His father became a commercial fisherman and his mother worked at the canneries. "My dad would bring in the catch and unload at the canneries, and my mom would skin and can the tuna," he shares. "They would come home smelling like fish, and they reminded me and my sisters that 'that's the smell of money.'" Buscaino says his parents' work ethic shaped him immensely. "They instilled in me the importance of working hard, having faith and trust in God, following the law and being a good person," he says of the values that drive him every day.



### Recruited From the Baseball Field

In college, Buscaino got his first adult job working for the City's Department of Recreation and Parks. He managed youth and adult recreational programs and camps for the park in San Pedro, where he'd grown up playing sports. Buscaino shares that it was this job that opened the door to his career with the LAPD, recounting the story of how he was approached on the park's baseball diamond by the man who would

become his mentor: Pat Gannon, former deputy executive director of Security and Public Safety for Los Angeles World Airports and former deputy chief for LAPD's Operations-South Bureau.

One day, Gannon, who at the time was a sergeant at Harbor Station, observed Buscaino officiating and umpiring an adult softball game. Buscaino started the game by telling the players to have a good game and reminding them not to use profanity or they'd be thrown out. During the game, "one guy was not happy with a call I made and he cursed me out. Sure enough, I threw him out, ejected him," Buscaino says, adding that when the man came up to his face, he remained calm and collected. Gannon witnessed Buscaino's cool demeanor as a player on the opposing team. "Pat comes up to me after the game and says, 'You handled yourself well and you're a community guy; we need to recruit you and hire you at the LAPD,'" recalled Buscaino, who told Gannon that although he had never thought about being a police officer, he was interested in learning more. Gannon took Buscaino on a number of ride-alongs and arranged a few more in other parts of the city. "I was hooked," Buscaino said. "I felt that, if I could leave a mark by protecting and serving the people of Los Angeles, count me in."

### Community Policing

Buscaino says the most rewarding assignment he had during his

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## JOE BUSCAINO

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15 years with the LAPD was as the senior lead officer for the basic car area in San Pedro (Harbor Division). He said people in the neighborhood came up to him all the time while he was on and off duty to discuss safety issues and other concerns in the community. “To have that sense of trust and confidence and to have people come to you with quality-of-life concerns is very rewarding,” he says.

### From Police Officer to Politician

Buscaino saw an opportunity to serve the City of Los Angeles as a councilmember when Janice Hahn vacated her CD 15 seat when she was elected to Congress in 2011. “I know the quality-of-life issues, and I know what needs to be done in order to prevent crime. I also was in the forefront of putting bad guys in jail who were preying among the most vulnerable,” he says. “I was being encouraged by my neighborhood watch groups, my business watch groups and family members, but they told me, ‘I don’t know if a police officer can get elected to City Council.’” In the race for CD 15, Buscaino, a political newcomer with no City Hall connections (he referred to himself as an “average Joe”), faced off against Assemblymember Warren Furutani, who was backed by the Los Angeles County Democratic Party establishment. “I was up against a lot of money, a lot of special interests, and I was just a local guy wanting to do good, wanting to improve the quality of life,” he says. Buscaino defeated Furutani in a runoff in January 2012, securing the CD 15 seat he still holds today and proving that police officers can get elected to the City Council.

### Public Safety First

Buscaino says he comes at the job of councilmember with a “public safety first” mindset and uses his experiences as a police officer to inform how he addresses and solves the city’s biggest issues, from basic quality-of-life issues and homelessness to rising crime and gang violence. Buscaino, who is an LAPD reserve officer, also stands up for public safety by ensuring that law enforcement is supported in their efforts to protect the city. For example, in 2020, he renewed the call for L.A. City park rangers and security officers to be armed ([tinyurl.com/2p9yumm4](https://tinyurl.com/2p9yumm4)) so that they can better protect and defend themselves from the inherent dangers of the job and, in turn, keep communities safer.

### Making a Difference

When asked about what he’d like his legacy to be, Buscaino refers back to his upbringing and the values instilled in him by his parents. “Just knowing that I left a mark in people’s lives, just knowing that I improved the quality of life in my years of service,” he says. “I’ve dedicated 30 of my 47 years to this city — from my days at the Recreation and Parks Department to LAPD and as a councilmember. At the end of the day, I think that’s all our goal ... to make sure you help people and improve folks’ quality of life, and I felt that I’ve done that.”



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The Board of Directors meets quarterly on the third Thursday of January, April, July and October at the LAAPOA Headquarters. Additional meetings and/or times are subject to change and will be posted as they occur.

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# PERB Finds Duty to Bargain When a Proposed Ordinance Impacts Discipline

By David E. Mastagni and Taylor Davies-Mahaffey

In a recent decision by the Public Employee Relations Board (PERB), the Board concluded that the County had a duty to bargain over the impacts of the proposed ordinance when it created new grounds for discipline (*Santa Clara County District Attorney Investigators' Association v. County of Santa Clara* [2021] PERB Decision No. 2799-M). In this case, the Santa Clara County District Attorney Investigators' Association brought an unfair practice charge against the County of Santa Clara for failing to meet and confer before unilaterally implementing an ordinance that regulated County-owned surveillance technology. The ordinance created reporting requirements for County departments and made it a criminal misdemeanor to misuse County-owned surveillance technology.

The Association met and conferred with the County over four concerns: (1) the definition of surveillance technology was too broad; (2) the increase in workload with the reporting requirements; (3) the reporting requirements would compromise employee safety by giving the public advance notice of how the technology was being used; and (4) the criminal misdemeanor criminalized workplace conduct, which created increased risk of liability when paired with a vague definition. However, the County refused to discuss the definition of surveillance technology and the language of the misdemeanor provision, stating that impact bargaining did not include changes to the ordinance. The County adopted the ordinance after two meetings with the Association and before reaching any agreements with the Association or declaring impasse.

PERB found that the Association had to the right to bargain over the ordinance's consequences to Association members. The County argued that the entire ordinance was a fundamental management right under Section 3504. PERB balanced "the benefits of bargaining over the decision against the employer's managerial interest in making the decision" (*Claremont Police Officers Association v. City of Claremont* [2006] 39 Cal. 4th 623, 637). The Association relied on the decision from *County of Sonoma* to argue that the definition of surveillance technology is subject to decision-based bargaining (County [2021] PERB Decision No. 2772-M). In *Sonoma*, Sonoma County placed an



ordinance on the ballot that increased the authority of *Sonoma* County's Independent Office of Law Enforcement Review and Outreach (IOLERO). The Mastagni Firm obtained a ruling that the IOLERO ordinance was subject to decision bargaining because it directly altered an existing investigatory and disciplinary structure. PERB distinguished *Sonoma*, reasoning that the Santa Clara ordinance is primarily focused on privacy, and its impact on employment is secondary. Therefore, the definition of surveillance technology was not subject to decision-based bargaining but was subject to impacts bargaining.

PERB also found that the misdemeanor provision was subject to impacts and effects bargaining. Further, the misdemeanor provision would likely be subject to decision bargaining because it creates new grounds for discipline. However, PERB decided that the County had the duty to bargain over the impacts because there was little information on how the misdemeanor provision would apply to non-employees and the ordinance had been in effect for five years. Finally, PERB determined the County violated its duty to bargain over the effects when it refused to respond to the Association's proposals and did not reach impasse.



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OCTOBER 20, 2022

**BEYOND THE BADGE**

## LAPOA 2022 Women's Leadership & Empowerment Conference

October 20, 2022 | Thursday - 9 a.m. to 5 p.m.

**MORE DETAILS  
COMING SOON!**

THE LAPOA 2022 WOMEN'S CONFERENCE is a full-day event that focuses on inspiring, motivating and training attendees to confidently advocate for themselves and others in their careers as they move into leadership roles.

Save the date and experience a full day of inspiration and motivation from speakers who will give you the confidence to aspire to your greatest potential.