

# City agrees to OT pay for officers who saved woman from fire

5 Cypress police officers hailed as heroes for rescuing woman from burning house to be paid after battling City Hall.

**By KIMBERLY EDDS**

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CYPRESS – After more than two months of fighting City Hall, five Cypress police officers injured while racing into a burning house and rescuing an 84-year-old woman lost in the smoke will be paid for the time they spent dealing with the aftermath of the fire.

The squabble was over \$778.48.

A capacity crowd packed City Council chambers last month, refusing to sit down as they applauded the officers. The awards for heroism and bravery piled up.

"These heroes ... put their own lives at risk when they entered a burning building that they may not have come out of," said OCFA Division Chief Jorge Camargo. But city officials remained firm, refusing to pay the officers' overtime for hours they spent being treated for smoke inhalation and being interviewed by investigators about the Nov. 25 fire.

Cypress police officers Paul Ruiz, James Brewer, Erik Carlson and officer trainees Brock Paul and Thomas Mellana were about an hour away from the end of their shifts when a two-story home on Windsor Circle caught on fire. They found a woman wandering around inside the smoke-filled house, and firefighters were nowhere in sight. The officers broke a window, broke through the front door and carried the disoriented woman to safety.

The officers spent more than four hours beyond their normal 12 1/2 hour shifts dealing with the fallout of the fire, including being treated for smoke inhalation.

All five returned to the police station after they were released from the hospital.

The overtime was approved by the Police Department's chain of command, all the way up to Chief Mark Yokoyama. But his decision was overruled by City Manager John Bahorski, who said in a Dec. 11 letter that the overtime would not be paid unless police officers association President Mark Clemons signed a letter stating that the city is under no legal obligation to pay officers while they were treated and that payment by the city does will not set a precedent. The letter would not be signed, Clemons said.

Overtime was approved by the city for the supervising sergeant responsible for writing a memo to department brass regarding the fire.

The medical treatment was part of a 16 1/2 hour day put in by the officers as part of performing their duties, said Clemons. And a refusal to pay them without strings attached sends a negative message to officers and the public about the city's priorities, he said.

"It has nothing to do with the money," Clemons said last month. "It's about the treatment."

"Decisions that are made are not always popular," said City Attorney Bill Wydner at last month's council meeting. "The Fair Labor Standards Act absolutely mandated the decision in this. This was a legal no-brainer."

As the city balked at paying the officers, several residents stepped forward, offering to pay the five officers.

Weeks later, in a Feb. 10 letter obtained by the Register, Bahorski said the overtime pay for the officers in question is being processed and would show up on the officers' Feb. 13 paycheck.

Two other officers treated for being exposed to hepatitis on the job will also be paid for their overtime – a total of \$157.23. There was no mention of his previous demand for the officers' to sign anything in return for the pay.

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