ATTACHMENT C

RESPONDENT(S) ARGUMENT(S)
September 10, 2018

To: Cheree Swedensky, Assistant to the Board
CalPERS Executive Office

Re: Respondent’s Argument

Please accept this as notice of argument against terminating respondent's disability status from Department of Corrections. In the decision stating that respondent showed no written proof of disability, however, it was noted that respondent appeared to be sincere in his verbal declaration and did not seem to be exaggerating about disabilities still existing that prevent him from performing his duties as required of a Department of Corrections employee. It would be a danger to other staff as well as inmates to return respondent to duty without resolving current emotional and mental issues. As to written proof, respondent has seen several mental health professionals trying to alleviate issues.

The issues preventing respondent from returning to the Department of Corrections are numerous and difficult to treat as treatments vary among individuals. Finding the correct medication and treatment therapy as well as therapist specializing in Post-Traumatic Stress Disorder can be a tedious task requiring numerous efforts. Enclosed please find written response and proof for continued disability from Dr. Yosef Geshuri who is more familiar with this case than any Doctor who only spent 3 hours with respondent. Please note also the varied symptoms from which respondent is suffering and the fact that psychotropic medications are prescribed, though only intermittent relief is attained and relapse is unpredictable and of various degrees of severity.

I hope you will reconsider your decision to reinstate respondent due to the unpredictability of behavior that could be displayed if such a return to site of occurrence of incident was enforced. Respondent suffers on almost a daily basis with these symptoms and is far from fit for duty. Thank you for your consideration.

Sincerely,

Greg Covert
SPECIAL PSYCHOLOGICAL ASSESSMENT NOTE
(Fitness for Duty Evaluation)

Date: 08-24-2018

To: California Public Employee's
Retirement/system [CalPERS]

Subject: Fitness for Duty Evaluation

Re: Gregory Covert
DOB [redacted]

The purpose of this note is to provide CalPERS with information regarding Gregory Covert's status as to his Industrial Disability Retirement, and his continuing disability in terms of his current fitness to return to his regular duties as a Correctional Officer (C.O.) at the Department of Correction and Rehabilitation.

I have been evaluating and consulting with Gregory soon after his original injury in 2010 and have communicated intermittently with CalPERS since then about his disability status. Recently, on 08-21-2018, I have conducted an additional evaluation of Gregory's status as to his fitness to function at his regular job as a C.O. which involved an extensive interview and the employment of standardized psychological testing, including the Million Clinical Multiaxial Inventory and the Clinical Assessment Instrument of PTSD.

My findings indicate that Gregory is still impaired, experiencing/exhibiting multiple symptoms and signs of Posttraumatic Stress Disorder, including Depression, Anxiety, Negative Attitudes and Behaviors with Frustration, Irritability and Outbursts of Anger, Social and Interpersonal Withdrawal and Dependency Needs, as well Sleep Problems, Difficulties Concentrating, Hypervigilance and Exaggerated Startle Response. He is also taking psychoactive medications to address some of these problems.

Based on my assessment, it is my clinical and forensic opinion, both as a Medical and Forensic Psychologist and as retired state employee myself, being closely familiar with the nature of his job, that Gregory is NOT FIT FOR DUTY as a CORRECTIONAL OFFICER NOW and in the FORESEEABLE FUTURE. He is PERMANENTLY DISABLED from performing his job as a Correctional Officer.

I trust you will accept the findings of this assessment and the conclusion that Gregory is permanently disabled as a Correctional Officer from injuries he had suffered on the job.

Respectfully Submitted,

Yosef Geshuri, PhD, JD, MP, FICPPM
Diplomate, American Board of Medical Psychotherapists
Diplomate, American Board of Forensic Psychological Specialties
Diplomate, International Academy of Behavioral Medicine
Fellow, International College of Professional Psychologists—Master
Fellow, Serious Mental Illness and Advanced Therapy
Certified Medical Investigator and Forensic Consultant
Certified Medical Psychologist and Psychopharmacologist