

Community Medical Centers CEO Tim Joslin accused of domestic violence on girlfriend

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Tim Joslin, president and chief executive officer of Community Medical Centers, was arrested for allegedly hitting his girlfriend on the back of the head with an iPhone.

Clovis police arrested Joslin for felony domestic violence after the Aug. 24 incident in his home.

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Fresno attorney Jeff Hammerschmidt tells reporters about an alleged extortion attempt against his client, Tim Joslin, the president and CEO of Community Medical Centers. PABLO LOPEZ plopez@fresnobee.com

Fresno County Superior Court records say he was released from jail after posting \$25,000 bail.

He has not been charged with a crime.

The Fresno County District Attorney's Office has three years to file criminal charges. The DA's office says the case is under investigation.

Jeff Hammerschmidt, the Fresno lawyer representing Joslin, and the woman's lawyer, Jacob Rivas of Fresno, say the district attorney most likely is studying surveillance video from the incident. The police report contends that Joslin may have deleted a portion of surveillance video. Joslin denied deleting any video from a hard drive. The DA's office said prosecutors still are waiting for more reports, but would not give details.

The two sides disagree on just about everything else, however, including the severity of the woman's injury to the employment relationship between her and Joslin. And each side is accusing the other of breaking the law. Hammerschmidt alleges Rivas tried to extort his client, and Rivas alleges Hammerschmidt illegally taped a confidential conversation.

According to Rivas, his client suffered a head injury. She sought medical treatment for a concussion and continues to experience some blurry vision, dizziness and headaches, he said Friday.

Hammerschmidt, however, said Friday he was told by police that the woman suffered no major injuries. He denied that Joslin engaged in domestic violence.

Rivas said the woman, 41, and Joslin, 55, had been in a relationship for about 2 1/2 years. She is not being identified because she is an alleged victim of domestic violence.

Joslin took over as chief executive officer of Community Medical Centers in July 2005. As CEO, he oversees the parent company to Community Regional Medical Center, Clovis Regional Medical Center, Fresno Heart and Surgical Hospital and Community Behavioral Health Center. He oversees 7,700 employees, and the medical system is one of Fresno's largest employers.

He has worked in the health-care industry for 30 years, mostly in California. He was chief executive at Doctors Medical Center in Modesto before being hired by Community.

The alleged victim of the domestic abuse works in an administrative capacity for Santé Community Physicians, the

largest independent physicians association in the region, Rivas said. Santé is a close ally of Community Medical Centers.

Rivas said the woman fears retaliation on her job. "In effect she is his employee," he said. "She's a subordinate."

Hammerschmidt said the woman is not under Joslin's employ. "He doesn't have any control over her whatsoever."

On Friday, Florence Dunn, chairwoman of Community Medical Centers Board of Trustees, responded in an email statement to the allegations against Joslin, who was at work on Friday.

"The alleged domestic incident seems very out-of-character for Mr. Joslin. Domestic violence is a serious matter, of course. But in this case, it appears the facts are much in dispute. Community's Board of Trustees will respect the justice system, and we will wait to see what the investigation ultimately reveals and what charges, if any, are pursued," Dunn said.

Police report

According to the [Clovis police report](#), the alleged assault occurred over a breakup.

Clovis police would not comment on the report, in which the woman said she and Joslin had dinner on Aug. 24, and afterward she told Joslin that she wanted to end their relationship.

She told police that Joslin became upset, told her to sit down so they could talk, and said he had bought her an iPhone. She told him she didn't want the phone and was going to leave him. As she was walking out, she stopped at the threshold to put her hand on his face and say goodbye. After she turned to walk out, she said Joslin struck her in the back of the head with the iPhone still in its box.

The report said the woman said she did not call police until the next day because "she was fearful that she would lose her job if she reported it."

A witness interviewed in the report said the woman called her and said: "He hit me. Tim hit me with an iPhone." The witness advised her to go to an urgent care clinic, where she sought treatment for a closed head wound.

In the police report, Joslin denied offering the woman a new iPhone or having any physical contact with her. He said they had gone to dinner at the Hofbrau at Temperance and Alluvial avenues in Clovis and that the woman had several drinks containing vodka. When they returned to his home, she asked about marriage and "got mad and stormed out of the house" when he said he was not interested.

Later, when officers told him they believed there was probable cause to arrest him for domestic violence, he told them that the woman "slapped me and I pushed her out the door."

Investigating officers noticed video surveillance cameras on the front of the house, including one in the front porch area that led up to the front door. Joslin initially told them "the cameras were not operable and that they were only there for looks."

But Joslin later showed police that a television in a back bedroom was hooked to the surveillance system; the recording was already queued to the time of the alleged incident. But the video that showed the front door just before the woman's departure had a three-minute skip.

Joslin was told it was "highly likely that the video had been deleted," the report said. "Joslin denied deleting any video from the hard drive," the report said.

Lawyers facing off

Hammerschmidt, who said Friday he had not seen a copy of the police report, claimed Rivas and his client had tried to extort Joslin by offering to settle the case for \$300,000.

He said Joslin received a letter from Rivas on Sept. 10, offering a “global resolution” of the civil and criminal cases.

Believing that Rivas was attempting to extort Joslin, Hammerschmidt secretly recorded the Sept. 18 telephone conversation.

On Friday, [Hammerschmidt shared the recording](#) in which Rivas says that if Joslin pays \$300,000, the civil case would be resolved, and the woman would not testify against Joslin in any criminal proceedings and would not tell the hospital board of directors or the media about the alleged incident.

Rivas said Friday that Hammerschmidt committed a crime by secretly recording him. His discussion with Hammerschmidt was a typical settlement offer that civil lawyers routinely do to resolve disputes, and such talks are done confidentially, he said. “Hammerschmidt is treading on thin ice.”

However, Hammerschmidt said secret recordings are legal in some instances.

“Mr. Rivas makes clear in the recording that ‘it all goes away’ and that his client will refuse to testify in the criminal case if Mr. Joslin pays his client ‘three hundred grand.’ This is the type of textbook extortion that is taught in law schools,” he said. Hammerschmidt said attorneys also are prohibited from threatening to pursue a criminal case to gain advantage in a civil suit – even if one hasn’t been filed.

Hammerschmidt said he [notified the District Attorney’s Office](#) of Rivas’ conduct.

Fresno attorney Anthony Capozzi said Rivas may have committed a State Bar ethical violation for saying he would dismiss the criminal charges if Joslin paid \$300,000 to resolve a potential civil lawsuit.

“It’s improper for him to say that, because Rivas has no authority to drop a criminal case,” said Capozzi, who is not associated with Joslin’s case.

Though it is illegal to secretly record someone, Capozzi said there is an exception to the law. If Hammerschmidt had a reasonable belief he was being extorted, then he can secretly record the conversation, Capozzi said.

Hammerschmidt said the alleged extortion demand puts the woman’s credibility at issue. But Capozzi said that may not be true if Rivas made the demand without his client’s knowledge.

Assistant District Attorney Steve Wright said he has not seen any police reports regarding a possible extortion attempt.

Rivas said what is getting lost in all the legal squabbling is the woman’s allegations: “She’s a victim, and she needs someone to stick up for her.”