



CCPOA WEEKLY UPDATE — FEBRUARY 3, 2012

DJJ Update — By Daryl Lee, DJJ VP

We spent much of this week representing our members in negotiations — including an O.H. Close negotiation for the Sexual Treatment Unit and continuing AB 109 negotiations regarding staff layoffs.

I was also able to tour Ventura with CCPOA Press Secretary JeVaughn Baker, and attended their chapter meeting that evening. Visiting local institutions is a high priority in my book — talking with staff face-to-face, hearing your concerns and providing updates on what we're doing to stop the closures and protect DJJ jobs. Jevaughn is also very interested in the challenges you face, and was impressed with the difficult jobs you're doing under these very stressful circumstances. He'll be looking for more opportunities to talk with you in the future, and get your stories out.

We also have a brief follow up on the Farrell court case settlement hearing I reported on two weeks ago. A subsequent hearing took place last week, attended by a number of heavy-hitters, including Secretary Cate and Undersecretary of Operations Terry McDonald. No details at this time, but we'll keep you in the loop as they become available.

Supervisory Update — By Kevin Raymond, Supervisory VP

On Wednesday February 1, 2012 Steve Weiss, Chief of Labor for CCPOA and I attended the first meeting of the Supervisors and Managers Advisory Council. Ron Yank, Director of DPA chaired the meeting and stated the purpose of these quarterly meetings is to discuss statewide issues and concerns of supervisors and managers statewide in all classifications. So that moving forward supervisors and managers are not an afterthought with regards to compaction issues etc. At the meeting an update was provided regarding the merger of DPA and SPB into one as CAL-HR. We have some real concerns with this merger. The next meeting has been scheduled for May 1, 2012.

Realignment continues to be the hot topic in Sacramento. This weekend CCPOA received the Supervisory Placement List for the first wave of employment "shifts" under AB 109 - the list includes 49 supervisors. DVI is the hardest hit with 16 affected supervisors. Only seven of the 49 listed are actual layoffs, with the rest being demotions or class bumps. We've contacted Labor Relations to inquire about these numbers - particularly the seven layoffs - and have been informed that there are a variety of reasons that an SO6 could go straight to layoff. We'll continue to keep you updated as new information becomes available.

This week also brought a reply from Secretary Cate to our November letter regarding increasing supervisory bid from a 60/40 to 70/30 split. The letter stated that while the Secretary planned to continue with the 60/40 split for now, he invited us to present a proposal outlining our request for his consideration in the future. This issue was discussed IN PERSON with the State LAST WEEK, when we PRESENTED OUR 70/30 PROPOSAL TO THEM IN WRITING. Of course, at no time during this meeting did they say that they had no intention of considering a 70/30 split at this time, despite the fact that the Secretary's letter was already in the mail. Amazing.

Legislative Update — By Stephen Walker, Chief of Legislative Affairs

We've got our eye on a number of legislative bills this session, including one that would modify "Three Strikes." This hotly contested bill initially had insufficient votes to make it off the floor, but later passed the Assembly on a party-line vote and is now headed to the State Senate — we'll be watching it closely. We're also revisiting bills we supported last year, but which might not meet the legislative bill deadline, to see if authors will be re-introducing similar concepts this year. Our ultimate goal is to help pass legislation that enhances our profession and defeat legislation that hinders it — it's that simple.

We're continuing our conversations with counties about AB 109 implementation and the use of re-entry facilities. And we participated in a workshop this week on AB 109 Implementation in Southern California that had a special focus on reducing recidivism.

We are also continuing to discuss counter proposals to the Governor's proposed elimination of DJJ with legislators and key staffers.

Labor Update — By Steve Weiss, Chief of Labor

I'm pleased to announce that we've reached a Statewide Agreement on the COMPSTAT ASU Tracking Log — CDCR's software program that helps track inmate bed movement, housing of Ad Seg inmates and budgetary funding associated with these units. Correctional Counselors assigned to Ad Seg units are required to complete the COMPSTAT data entry. This new SA will reduce the amount of time and data entry fields required of staff. ([click here to view this SA](#))

I'd like to thank the following for providing valuable knowledge and input into this SA — your contributions truly helped make this SA possible: Correctional Counselor Committee members, HDSP, Folsom State Prison, CSP Sacramento, SQ and other rank-and-file and supervisory staff working in Ad Seg units around the state.

**Legal Update — By Chief Counsel Dan Lindsay / Supervising Attorneys
Shelley Lytle, Rudy Jansen, Janice Shaw**

Investigatory interviews — even non-criminal ones — should be taken seriously. We encourage you to review and keep this checklist handy.

INVESTIGATORY INTERVIEW CHECKLIST

(non-criminal)

*Remember management must give 24 hours written notice for the subject; reasonable notice for witness; and written notice of the subject matter (scope) of the investigation.

PRIOR TO THE INVESTIGATORY INTERVIEW

- ___ 1. Determine if you can represent the member. You cannot represent both a witness and a subject of the same investigation.
- ___ 2. Determine the subject matter of the investigation. Talk to the employee and management, if necessary, to make this determination.
- ___ 3. If the subject matter is criminal in nature, call CCPOA for assistance. If non-criminal in nature, begin to prepare for the investigation.
- ___ 4. Instruct the employee that all answers during the interview must be truthful.
- ___ 5. Instruct the employee to answer questions he or she understands and has personal knowledge of.
- ___ 6. Instruct the employee to avoid narrative responses.
- ___ 7. Instruct the employee to answer questions specifically and concisely.

___8. Inform the employee that he or she has a right to breaks during the interview.

INVESTIGATORY INTERVIEW

___1. Introduce yourself as the CCPOA Job Steward.

___2. Let management speak first, after the initial introductions.

___3. Again determine, from management, the specific subject matter to be covered in the interview.

___4. During the interview keep management within the scope of the subject matter.

___5. Be sure you and the employee request a copy of all documents or materials that are being used to possibly substantiate any pending action.

___6. Ask neutral questions – be calm and firm.

___7. If management's questions are vague or confusing, ask for clarification.

___8. Object to both physical and verbal harassment of the employee.

___9. Ask for a break, if needed.

___10. Do not allow the employee to waive any constitutional rights.

___11. TAPE-RECORD THE INTERVIEW.